

Gal 5 D b
AN
ENTIRE AND COMPLETE

HISTORY,

POLITICAL AND PERSONAL,

OF THE

BOROUGHES

OF

GREAT BRITAIN;

TOGETHER WITH THE

CINQUE PORTS.

THE SECOND EDITION, CORRECTED AND IMPROVED.

IN TWO VOLUMES.

VOLUME I.

W. H. Burley

LONDON:

PRINTED FOR R. CROSEY, NO. 4, STATIONERS COURT, LUDGATE STREET.

M. DCC. CII.

12



P R E F A C E.

THE abuse of the representation of the people in parliament being so great as to have impressed all parties and professions, with a conviction of a reform being indispensable, suggested the idea of publishing this History of the Boroughs of Great Britain. The limited right of election in corporations; the inconsistency of the principles on which it is granted in different boroughs; the absurdity of representing places, where the represented are not to be found; the equivocal determinations respecting voters, and the arbitrary nature of thus secluding all towns from a share in the legislature, unless admitted by an exclusive charter, or act of parliament; are greivances that have been long felt, but never yet particularly ascertained. These great abuses have come before the house of Commons and committees, in various shapes of complaint, and in published cases, that have done their learned editors the greatest honour; but they have never yet been systematically

cally collected. As the grievances occurred, and they were presented to parliament for redress, they have been published; but as they are scattered in the works of different writers, the information of constitutional abuse which they afford, is too divided for the mind to form a complete idea of its aggregate enormity. Although the cases of Glanville, Douglas, Luders, and Fraser, are the best of references for the learned profession, and for members of the legislature, in all circumstances relating to election contest, yet, for the public in general, they are too abstract, copious, and unconnected.—It was therefore our design to collect the variety of these abuses, in our representation into as obvious, distinct, and concise a view, as the great extent of the subject would possibly admit. Cases upon material points are stated, but as briefly as the importance of the matter would permit. Where the pleadings of counsel have illustrated great points in corporation and tenure law, they are inserted as much in detail as the limits of the work would allow; but, when they have appeared less material, they have rejected, not as being superfluous, but to afford room for matter more immediately necessary.

Having, as above, stated in what manner we have availed ourselves of the different cases published respecting electing contests, it may be necessary to say a few words on the means we have taken to render the History of the Boroughs as useful to the public in general, as it may have appeared desirable to particular individuals.

As

As it was not intended to serve political parties, flatter corporations, or support corruption, but to inform the nation of the nature of the grievances so necessary to remove, the greatest pains have been taken, first, to ascertain rights, and then impartially to state their infringements.

As a work of reference, we have arranged, in distinct heads, whatever relates to each borough respectively, as local information may be necessary to such as may have an individual interest or concern in any of the counties, cities, or boroughs. The first establishment, alternation, and constitution of every town corporate, original representation, right of election, mode of corrupting voters, their number, returning officers, patrons, and political character, are given with every attention to correct erroneous statements, and to afford an explicit, accurate, and impartial view of borough-representation. And to render the work as interesting as possible, the most remarkable political cases and occurrences relative to the counties, cities, &c. are added to such as they concern.

Crew's *History of Boroughs* being too voluminous for the public in general, and Willis's *Notitia Parliamentaria* being too concise, erroneous, and deficient, to afford satisfaction for political enquiry, we have endeavoured to supply the defects of the latter, without being guilty of the prolixity of the former. To avoid the confusion arising from the manner in which Willis has related different heads in one short paragraph, we have made distinct titles to each subject of a borough, and which are distinguished by small capitals. By this means, whatever relates

relates to the respective species of corporation and election information, may be seen, with the greatest facility, under the heads of.

1.

POLITICAL CHARACTER.

2.

CORPORATION.

3.

RIGHT OF ELECTION.

4.

NUMBER OF VOTERS.

5.

RETURNING OFFICERS.

6.

PATRON.

The first head contains those circumstances of independence or subjection, which characterize every borough, from its being prescriptive or corporate, free or dependent on aristocracy, or having its elective franchises limited to a few, or extended to the community.

The second contains the date and constitution of every charter, by which every corporate city and borough were vested with these exclusive privileges. The municipal officers are particularised, and any parliamentary decision stated, that materially relates to the privileges or the establishment in any of the said cities or boroughs.

The

The third contains all the resolutions, and the most important cases that have passed the house, or committees, relative to the right of voting. Where no resolution has passed the house respecting elective franchise, the right, as practised and acknowledged, is inserted. In this part, we have had occasion to correct many errors that have escaped many authors who have written on elections.

The fourth contains the number of voters, ascertained mostly from personal experience, and some from a sight of the respective poll-books. We therefore hope, in this essential part of election information, to receive that confidence it was our anxious efforts to deserve.

The fifth contains the returning officer in each city and borough; and as material influence has attached to the department of this office, in elections, the greatest care has been taken to state in whom the power is vested.

The sixth contains the name of that person or persons, who from feudal establishment, personal acquaintance, ministerial connexion, or landed property in the vicinity, has that influence, which, from the obedience it commands from obsequious voters, is termed elective patronage.

CONTENTS.

VOL. I.

	Page		Page
INTRODUCTION.		CHESHIRE.	
		Chester County . . .	46
BEDFORDSHIRE.		Chester City . . .	50
Bedford County . . .	1		
Bedford Town . . .	5		
		CORNWALL.	
BERKSHIRE.		Cornwall County . . .	68
Berks County . . .	10	Saltafh . . .	ib.
Abingdon . . .	11	St. Michael, or Mitchell .	78
Reading . . .	13	Helston . . .	83
Wallingford . . .	15	St. Ives . . .	86
New Windfor . . .	16	Tregony . . .	92
		Truro . . .	94
BUCKINGHAMSHIRE.		Penryn . . .	96
Buckingham County . .	19	Fowey . . .	97
Buckingham . . .	25	Bofiney, alias Tintagel .	101
Aylesbury . . .	27	Leftwithiel . . .	103
Great Marlow . . .	33	St. Mawes . . .	105
Wendover . . .	34	Camelford . . .	106
Agmondesham . . .	38	Callington . . .	108
High Wycomb . . .	39	East Looe . . .	109
		West Looe . . .	110
CAMBRIDGESHIRE.		Launceston . . .	112
Cambridge County . . .	41	Newport . . .	113
Cambridge . . .	43	Grampound . . .	114
Cambridge University .	45	St. Germaines . . .	116
		Liskard, or Leskard . .	117
		Bodmin . . .	119

CONTENTS.

	Page		Page
CUMBERLAND.		Wareham	212
Cumberland County . . .	120	Corfe Castle . . .	215
Carlisle	ib.	Poole	217
Cockermouth	125		
DERBYSHIRE.		DURHAM.	
Derby County	127	Durham County . . .	*239
Derby	128	Durham City . . .	*244
DEVONSHIRE.		ESSEX.	
Devon County	133	Essex County . . .	233
Exeter	135	Colchester	234
Tiverton	137	Malden	247
Dartmouth	143	Harwich	250
Ashburton	146		
Oakhampton, or Okehampton	148	GLOUCESTERSHIRE . 252	
Bereafston	154	Gloucester County . .	253
Plymouth	158	Gloucester	254
Totnefs	163	Cirencester	256
Plympton	165	Tewkesbury	258
Tavistock	166		
Barnstaple	168	HAMPSHIRE.	
Honiton	171	Hants County . . .	259
DORSETSHIRE.		Portsmouth	260
Dorset County	174	Southampton . . .	265
Dorchester	175	Stockbridge	269
Lyme-Regis	181	Christchurch . . .	277
Weymouth and Melcombe-Regis	189	Lymington	279
Bridport	192	Yarmouth, Isle of Wight .	281
Shaftesbury	196	Newton, or Newtown .	284
		Newport	287
		Winchester	291
		Andover	293

CONTENTS.

	Page		Page
Whitchurch	296	Clitheroe	346
Petersfield	297	Wigan	347
		Newton	348

HEREFORDSHIRE.

Hereford County . . .	303
Hereford	304
Leominster	305
Weobley	308

LEICESTERSHIRE.

Leicester County . . .	349
Leicester Town . . .	350

LINCOLNSHIRE.

Hertford County . . .	311	Lincoln County . . .	352
Hertford Town . . .	312	Lincoln City . . .	ib.
St. Albans	314	Grantham	354
		Stamford	355
		Great Grimsby . . .	358
		Boston	359

HUNTINGDONSHIRE.

Huntingdon County . .	316
Huntingdon	319

MIDDLESEX.

Middlesex County . . .	361
London	380
Westminster	384

KENT.

Kent County	321
Rocheſter	326
Canterbury	327
Maidſtone	328
Queenborough	330

MONMOUTHSHIRE.

Monmouth County . . .	402
Monmouth Town . . .	403

LANCASHIRE.

Lancaster County . . .	336
Lancaster	338
Preston	340
Liverpool	342

NORFOLK.

Norfolk County . . .	404
Norwich	405
Yarmouth	406
Thetford	408

CONTENTS.

	Page		Page
Caffle Rifing . . .	409	NORTHAMPTONSHIRE.	
Lynn . . .	411	Northampton County .	426
		Northampton Town .	427
		Peterborough City :	430
NORTHUMBERLAND.		Brackley . .	433
Northumberland County .	415	Higham-Ferrers .	434
Newcastle-upon-Tyne :	418		
Morpeth . . .	421		
Berwick-upon-Tweed .	424		

INTRO-

INTRODUCTION.

PREVIOUS to giving an historical detail of the parliamentary abuses arising from the corrupt state of borough representation, it is necessary to establish the free principle of our legislation. Before the sources and streams of oppression are traced, our original right should be ascertained. It is impossible to know the extent of an evil, but by comparing it with the blessing it either injures or destroys. Nor can the cure be effected without considering the constitution of the patient. Thus, in all political as well as physical grievances, we should recur to the original nature of the constitution, before we even suggest, and much less apply, the remedy. By too hasty a desire to reform, destruction may ensue. To allay, therefore, the heat of party, to prepare the public mind for deliberate investigation, and to prove that our liberties may be renovated without the destruction of the constitution or personal sacrifice, is the immediate
b purpose

purpose of our present enquiry into the first establishment of our liberties, by a free, equal, and entire representation of the people.

Parliament is derived from *Parlement*, which is the name the Normans gave to our national assemblies. The word itself being derived from *parler*, i. e. to speak, implies an assembly appropriated for speaking, or debating. And as it was, and is summoned by writs from the king, *pro quibus, arduis & urgentibus negotiis nos, stat. & defensionem regi nostri & eccles. Anglic. concernent*, upon some arduous and urgent business concerning the king, state and defence of the kingdom and established church, it is evident the intention of parliament is to collect the sense of the people on what relates, not only to the king—but to their own temporal and eternal welfare.

Parliament, according to that great secretary and privy counsellor, Sir Thomas Smith, has power to repeal old laws, and to establish new; to regulate times present and future; to decide on all matters of property; to legitimate the spurious; to establish public worship; to determine the royal succession; to decide on all controversies without appeal, where there is no other law to judge; to levy taxes; to pardon offenders; to support the oppressed, and to punish the oppressor;

for; to dispense life and death; and, in a word, to perform whatever could be done by the *comitia centuriata* or *tribunitia*, i. e. all the people of Rome. The above is their active power. Their constituent power, according to the same authority, consists in every Englishman, from the prince to the peasant, and of whatever state, dignity, or quality, possessing the right of being present in parliament either in person or by procuration or attorney; and the consent of the parliament is understood to be every man's consent.

By the privileges of parliament, we mean the free, uninfluenced, and uncontrouled exercise of that power with which they are invested by their constituents. It is not meant here to establish that abuse of the *lex et consuetudo parliamenti*, by which they have seen them arrogate privileges, neither granted by the people, or even sanctioned by the constitution. For, certainly, Burgh is just in observing, that to protect, exclude and expel their own members; to decide their own causes; prosecute, arrest, imprison, reprimand, or fine their employers at their arbitrary pleasure, is trampling on Magna Charta and the Bill of Rights. The chief and most sacred privileges of the commons is that which secures them from the power of the crown. Keeping this privilege inviolate

preserves the independence of parliament, and, consequently, the freedom of the constitution. And, as one effectual means of securing this privilege, the commons, A. D. 1541, protected themselves from arrest for debt by writ from the speaker, which was done before by a writ from the chancellor. Had they been at the mercy of creditors, arresting them might have been used as a state-engine to prevent their attendance in parliament, when their presence was indispensibly necessary to guard the rights of their constituents. But although the power and privilege of our representatives have been described as almost illimitable, yet they are as amenable to the laws, as any other subject of the realm, in what relates to felony, breach of the peace, or treason. No assumption of privilege can shield them from the prosecution they may, in either of the above instances, provoke.

In answer to such as assert, that the commons of England were no part of the ancient *Commune Concilium* before the 49th of Henry the Third, and that it was the $\square$ introduced by rebellion, it will be here endeavoured to prove, that the *Mickle-gemote*, *Wittena-gemote*, *Communi Concilium*, *Baronagum Anglie*, were chiefly constituted by the commons or people of England during the time of the Britons and Saxons.

Although the government of the Britons is rather obscure, from time having obliterated most of those few records their own want of literature had left behind them, yet *Cæsar*, *Tacitus*, *Dionysius*, *Cassius*, and others, have left sufficient testimonies of their freedom. Spelman says, the Britons had their *Commune Concilium*, or parliament, which they called *Kyfr-y-iben*, from their laws being formed in that Assembly. And when Lucius sent to pope Elutherius for the Roman laws, the pope, not ignorant of the British constitution, wrote him an answer to the following purport: *Thou hast almost every page of them in thy kingdom. From them, by the grace of God, by the council of thy kingdom, take the law, and by that power of God, rule thy kingdom of Britain.* And as a farther evidence that the Britons had not only political, but municipal laws, Bede says, *there were in Britain twenty-eight cities, formerly the most distinguished, besides innumerable castles that were defended by walls, towers, ports, and barred gates.*

THIS authority demonstrates, that they were not then an itinerant people, as some have imagined, wandering in tribes without government, or settled habitations. On the contrary, they are thus proved to have made such considerable progress in civilization, as to have formed a

b 3
government,

government, established communities, and to have fortified themselves by castles, like every other country in which civil society has been established; for, whenever social compacts raise an idea of property, castles are generally built for its defence.

The Saxon exercise of constituting their *wittena-gemotes* and *mickle-gemotes*, which were subverted by the feudal tenures, established by the Normans, was only a continuance of the *kyfr-y-then*, or popular assemblies of the Britons, as improved by their intercourse with the Romans; their own customs of forming laws by general councils being congenial with those they found in their newly acquired territory, they had only to change their name and not their nature. Thus was the British appellation of their public meetings altered to that of the Saxon. The assembly of the people themselves, was called, as before observed, the *mickle-gemote*, the council of the many. And the Assembly of the representatives, was called the *wittena-gemote*, the council of the prudent! The honourable epithet attached to the latter popular meeting, proves that prudence was the first and most essential qualification of a Saxon representative.

DURING the Saxon heptarchy, we have several instances

instance recorded of these wittena-gemotes being held for the enacting of laws, regulating public concerns, and advising on every matter relative to the whole community.

THE property of the land was certainly the unalienable right of that whole collective body of freemen which composed the armies of our Saxon conquerors. Each soldier was not only a voluntary associate, but a co-partner in the hazard of their lives, and consequently the reward in attending their victories. Although, under a general commander, they were equally free and independent with himself, and had as just a claim to their portion of the conquered lands as their leader. For their wars were not undertaken, like those of modern date, at the caprice or ambition of one man, or rather monster, who thus sacrifices for a whim, and sometimes even for the extension of tyranny, millions of lives and treasure, before his sanguinary thirst is sated. Enured to toil, hardship, and necessity, war was their profession, which stimulated them to the conquest of countries where nature, more bounteous than in their own, invited their settlement; thus all had one common danger and interest. Engaged in the same enterprize, they claimed and shared

shared the same emoluments as their generals, except the latter having a greater portion according to their respective ranks. The general, assisted by the princes and chief-officers, divided, therefore, the conquered land into as many portions as there were corps of different provinces among the victors. These portions were subdivided among the several families and individuals composing each corps, according to their merit, dignity, and necessity. Thus every tribe held his possession independent of the rest, except being subject to the same civil government which they had brought with them from Germany. The larger divisions constituted the *pagi*, and the lesser formed so many trithings, hundreds and tythings, each under its own caldorman, or proper officer, from the regiments being composed of such proportionate distinct numbers as tens, hundreds, and thousands. For, in their military expeditions, the forces of every province always marched and fought by themselves. And each tribe, or provincial force, is described to have been regularly divided into distinct corps of ten, a hundred, and a thousand men. To this constitution of their armies, and the consequent subdivision of the lands they acquired by conquests, may be attributed the origin of dividing

dividing our shires and counties into those divisions which seem to have been falsely attributed to the regulation of Alfred. That it was a German institution, appears from the same division of lands being made in other countries, where those northern warriors established themselves. For tythings and hundreds were not only known in Italy, but are recorded to have been there long before the days of Alfred.

It being one of the chief objects of this work, to ascertain the rights we possessed by the first establishment of our government, it is necessary to prove that copyholders, who are so numerous, and a respectable body in this country, have an equal claim to elective franchise with a freeholder. Those being restored this right, would renovate an essential part of the constitution, which has fallen a prey to arbitrary power, and insidious corruption. By admitting copyholders to vote for members of parliament, would extend the spirit of justice and freedom to a large and deserving part of the community. Having no friend to vindicate their rights, they have been left to wither on the waste of oppression. But, like the vigorous products of nature, they have not only borne the blast of the desert, but have even grown to a greater height than many that have
c been

been matured in a more genial soil and climate, This body of people having, therefore, risen to be possessors of considerable property, to vindicate their privileges, it is presumed, will be no uninteresting endeavour; and to prove they have the claim of being represented, arguments will be drawn from law, reason, and justice.

IN the first establishment of our laws, the possessors of land were necessarily the only freemen, from there being no other species of property that could entitle the owner to a right of being consulted in what related to its protection. War and agriculture, as before observed, were their only avocations, and therefore land constituted the holder as the only person possessed of civil and political liberty. Commerce, not having then created the variety of other property it has since the chartering of boroughs, there were no other owners of possession to claim the privileges of freemen. But surely this could not justly preclude all other persons, but freeholders, from having their acquisitions protected by a share in their legislature? Had this been, the principle of the government, no person would ever have been induced to leave the plough or the sword, by which they could only maintain their freedom. Knowing trade and arts would render them little better

better than bond-men, commerce and manufactures would never have been established. Granting charters, bestowing markets, and incorporating towns for the encouragement of trade, would never have stimulated the artizan to prosecute his industry, had he known his acquisitions, from not being freeholds, deprived him of a freeman's inheritance. But the principle of the Saxon government being liberty, founded on justice and true policy, all the inhabitants of boroughs, unless bondmen or villeins, were admitted as Members of their tithing-courts, which were not only judicial, but legislative, as far as the welfare of the respective decenaries required. The by-laws that were made in these courts, as well as in the hundreds, tythings, and county courts, prove they were legislative. The inhabitants, therefore, of these small divisions, being their own representatives, prove that every house-holder, whether possessing land or other property, exercised the privileges of a freeman in the greatest extent.

All tenants, or holders of landed property, have a constitutional claim to the right of legislation. It is not intended to support the claims of charter against the common rights of man, but to vindicate constitutional privilege against arbitrary infringement.

ACCORDING to what has been traced of our ancient

cient government, every person who was not absolutely a bondman, not only had, but exercised, the franchise of a citizen. The whole kingdom being divided into tythings which were composed of ten families, who were pledges to each other of their being qualified, as well for sharing in the common privileges of these communities, as of their honesty and integrity, included every ostensible householder as eligible to share in the legislation and jurisdiction of his respective society. And as these tythings were the original boroughs, every inhabitant, who was a member of these decenaries, was not the elector, but the representative of himself and family in the tything court where bye or borough laws were made, for the welfare and protection of these small societies. No charter was required to give them rights to the exclusion of others equally deserving of a citizen's privileges with themselves. To be free and honest, were then the only claims that entitled them to franchise. And as these divisions were the ancient boroughs, the head of each tything was called, as before observed, a borsholder or head of the borough. These chiefs of the district were, even in the time of the Normans, the barons who went to the general assembly of the state.

Thus

Thus every freeman, from every tything, had right to be present in this sovereign council.

No charter or corporation restraints fettered this common privilege; neither the chance of birth, power of purchase, slavery of septennial service, interest of marriage, or favour of redemption, acquired the right. It was a general blessing dispensed to all that were possessed of property and probity: nor was this right of voting controuled by qualification; for it was not confined to the quantity or quality of the possession. Every freemen who had an interest in the government, either with respect to the security of his person, or the preservation of his property, claimed and enjoyed his share of the legislature. Enfranchised copyholders had equally a right of legislation with the freeholder, and every member of a tything or borough, without distinction, claimed the same privilege.

FROM the many definitions that have been given of boroughs, arguments have been falsely drawn to support the present system of their exclusive representation against the constitutional right of every other town, village, hamlet, and house in the kingdom. But that which has given the greatest sanction to this partial abuse, or rather

rather perversion of the ancient government, is the false explanation which Coke has given on Lyttleton's chapter of Burgage tenure. Coke, in his notes, says, that such a town is called a borough, because it sends burgeses to parliament. This has, therefore, induced the partizans of limited representation to assert, on this learned gentleman's authority, that no town but what is called a borough, ought to send members to parliament. The name itself, they say, is an evidence of this exclusive right being confined to such boroughs; for had other towns the same right, they would have been called boroughs. Eager to seize the least support to their arbitrary system, they adopt absurdity for propriety, inconsistency for reason, and falsehood for truth. Had they not been so premature in producing this authority, they would have seen that, instead of towns being called boroughs, from sending burgeses to parliament, burgeses are so called from being chosen to represent boroughs. But this *lapsus plumæ* of Coke is afterward compensated by the evidence he gives of these towns being so called from *Borboe*, the Saxon word for a pledge, and, from these pledges being reciprocally given by the members in each

each tything, and such companies of ten families were called burghs, or boroughs. And as every tything, as we have before stated, was free, the incorporating of boroughs was the disfranchisement of other towns and districts. While these charters, thus, confined the original right of representation to such boroughs as were more immediately in the favour or interest of the king, or demesne lord, the rest were unjustly precluded. In this manner the householders, farmers, towns, and cities, dare not exercise their ancient rights without privilege of charter. The rights of man depending on the caprice of arbitrary power, thus lay at the mercy of sovereign interest. From this partial chartering of boroughs, parliaments were formed that were entirely the tools of royalty. The liberty of being represented, was humbly received as a concession of the king. Thus were the inherent liberties of the nation first limited from personal legislation to elective franchise, which was afterwards confined to the mercenary dependents of arbitrary power. The general rights of the nation being, in this manner, dispensed only to the creatures of the crown, the original house of commons lost its independence in this wreck of prescriptive legislation.

Thus

Thus was the constitution first contaminated with the disease of corruption. The dependence of the elector for his right, and the representative for his reward on the government, subjected the virtue of both to the controul of the executive power, and has at last reduced the representative system to a mere shadow and a name.

I
fe
is
of
ov
ho
be
me
ta
is
no

HISTORY

OF THE

BOROUGHES OF GREAT BRITAIN.

BEDFORDSHIRE.

IT was not our original intention to have entered into any inquiry respecting the representation of counties: as their political integrity is spotless, when compared with the delinquency of boroughs. But as influence has extended itself over more than half the constituent body of freeholders in these kingdoms; and that influence being in general vested in peers, and therefore the more dangerous, from being the most authoritative and unconstitutional, county representation is thus a most indispensable part of our duty to notice.

Vol. I.

B

Another

Another insurmountable objection to the present system of county representation, and which constitutes it an aristocratical establishment, is that of its being a partial representation of property,* and not an entire free representation of persons. This is not only repugnant to the first principle of liberty, but to the very existence of the constitution.

In addition to what we have established as constitutional right in our short historical view preceding these pages, we think it necessary here to insert what the Rev. Mr. Burgh has, with so much justice and liberality, said on this subject. We are the more anxious to state his observations, as they are not only congenial to our own, but are a most respectable confirmation of the result of our preceding enquiries.

"Every one has what may be called property, and unalienable property: every man has a life, a personal liberty, a character, a right to his earnings, a right to a religious profession and worship according to his conscience, &c.; and many men, who are in a state of dependance upon others, and who receive charity, have wives and children, in whom they have a right. Thus the poor are in danger of being injured by the government

national

* *Vide supra*, on copyholders.

verment in a variety of ways. But, according to the commonly received doctrine, that servants, and those who receive alms, have no right to vote for members of parliament, an immense multitude of the people are utterly deprived of all power in determining who shall be the protectors of their lives, their personal liberty, their little property (which, though singly considered, is of small value, yet is upon the whole a very great object), and the chastity of their wives and daughters. What is particularly hard upon the poor in this case is, that though they have no share in determining who shall be the lawgivers of their country, they have a very heavy share in raising the taxes which support government. The taxes on malt, on beer, leather, soap, candles, and other articles, which are paid chiefly by the poor, who are allowed no votes for members of parliament, amount to as much as a heavy land-tax. The landed interest would complain grievously, if they had no power of electing representatives; and it is an established maxim in free states, that whoever contributes to the expences of government, ought to be satisfied concerning the application of the money contributed by them, consequently ought to have a share in electing those who have the power of applying

their money. Nor has the receiving of alms been always held a sufficient reason for refusing the privilege of voting, as appears by the following resolution of the house of commons—"That the freemen of the port of Sandwich, inhabiting within the said borough (although they receive alms), have a right to vote in electing barons to serve in parliament."

It is likewise held to be law at this day, that a freeholder receiving alms does not thereby forfeit his elective franchise, of which every other elector in this case is divested. These arguments appear to us incontrovertible. But, whatever difference of opinion may prevail, it will certainly be admitted that every inhabitant householder, at least, paying taxes, ought to have a share in that representation by which the said burthens are levied. As an efficient member of the community, he is certainly eligible to be concerned in forming those laws by which he, among the rest of his fellow-citizens, is governed.

Having premised thus much respecting the representation, we now proceed to observe particularly with regard to the county of Bedford, that the influence of its election is partly possessed by the Duke of Bedford, who can always return one member for this county; and Lord St. John, at present,

present, sends the other. But the interest of the latter is by no means permanent; for he carried his election only by a single vote in 1784. It is therefore now generally understood, that Lord Ongley and Sir Gillies Payne, have each as good an interest as the St. John family.

Bedfordshire contains ten market towns, and one hundred and sixteen parishes, and sends four members to parliament.

BEDFORD TOWN.

THIS borough had, for near a century, been under the influence of the Bedford family. But in the year 1768, when Mr. Wilkes was in the zenith of his popularity, the corporation, whom the Duke of Bedford had offended, took an effectual method to destroy the Bedford interest in that town. For this purpose, they made the late Sir Robert Bernard, Mr. Alderman Townshend, John Horn Tooke, esq. and several more independent gentlemen, traders, yeomen, &c. freemen. The first of these they chose recorder; and the borough seemed thus to have entirely emancipated itself from aristocratical influence.

A petition was presented, by Mr. Whitbread and Mr. Howard, against the election of Sir William Wake, bart. and Robert Sparrow, esq.

in 1774, in which the petitioners disputed the right of all such burgesses and freemen as were non-residents, which they supported on the last determination of the house, on the 12th of April, 1690.

The committee were of opinion that the words of the above resolution, "being householders of Bedford," do not refer to the burgesses and freemen, but to the inhabitants only.

The chairman likewise added, although not in the formal words of a resolution, that the committee were clearly of opinion, that the objection of occasionality would not be with freemen resident or *non-resident*, made above a year before the election. By this determination, the independent freemen, made as above, were all declared legal electors of this borough.

The above important question being thus decided in favour of Wake and Sparrow (the fitting members), the petitioners proceeded to establish certain voters who had been refused on the charge of pauperism; and several decisions were made, which, being contrary to former legal decisions, may be proper to be here stated.

The first question was, Whether persons having received a charity within a year before the election, were entitled to vote? The committee determined, that

that persons receiving Sir William Harper's* charity are not thereby disqualified. This point was in favour of the petitioners, Whitbread and Howard.

A question next arose, of a similar importance, respecting inhabitants coming to reside within the several parishes of the town of Bedford, with certificates from other parishes, having a right to vote. These were admitted, by agreement of counsel, not to come under the description of paupers, and were of course added to the poll of the petitioners.

The counsel for the petitioners then endeavoured to support, and the counsel for the sitting members to oppose, on the same charge,—

First,—Persons having received a charity called Howe's Charity ;

Secondly,—Persons having received a charity called Welborn's Charity ;

Thirdly,—The masters and brethren of St. John's Hospital ;

Fourthly,—Freemen who had received parish relief within a year before the election ;

Fifthly,;

* A native of Bedford, who was some time lord mayor of London, in the reign of Elizabeth. He founded a free-school.

Fifthly,—Freemen who had an inchoate right to their freedom, but were admitted contrary to the accustomed mode of admission, and within a year before the election.

Upon the above questions the committee determined that such as had received Howe's charity were not thereby disqualified—That such as had received Welborn's charity were thereby disqualified—That the masters and brethren were not disqualified—That such as had received alms, meaning thereby parish relief, within the twelve months previous to election, were disqualified—That such freemen having an inchoate right, but admitted to their freedom within the last twelve months, were disqualified.—And lastly, That they would not reject any person's vote for receiving alms within the said year preceding the election.

It was thought necessary to state the above as a guide for future elections in this town.

Upon the above decisions, Sir William Wake, one of the sitting members, and Samuel Whitbread, one of the petitioners, were declared duly elected.

Upon the death of Sir Robert Bernard, the present Duke of Bedford was chosen recorder in his

his room, and has since prevailed upon the corporation to make an additional number of freemen in his interest, to counterbalance the others, who, not having been made twelve calendar months previous to the last election in 1790, could not influence the election of the present members (Colhoun and Whitbread jun.) But, upon every future election, it is thought the Bedford interest must as formerly prevail.

The liberties of the corporation extend above nine miles in circuit round the town; and a member of Bedford, many years since, bequeathed to it a field or two in the spot now called Theobald's-row, Red-Lion-street, Eagle-street, and its environs, near Red-Lion-square, London; the leases whereof expiring some years since, the estate is become so considerable, that the corporation obtained an act of parliament to empower them to give portions to servant-maids, for the encouragement of population, fees with poor children bound apprentices, and other charitable donations.

CORPORATION—Consists of a mayor, recorder, deputy-recorder, two bailiffs, thirteen common council, an uncertain number of aldermen, because all who have served the office of mayor are
after-

afterwards reputed aldermen, but these must not exceed the number twelve. The charter they now act under was granted 1664 by Charles II.

RIGHT OF ELECTION—Nominally vested in the burgesses, freemen, and inhabitants being householders, and not receiving alms.

NUMBER OF VOTERS—Were, according to Willis, about 1000, are now increased to 1400.*

RETURNING OFFICERS—The mayor and bailiffs.

PATRON—The Duke of Bedford.

COUNTY OF BERKS.

POLITICAL CHARACTER.

THIS county, like Bedfordshire, has half of its representation subject to aristocracy. The interest of Lord Craven has generally sufficient weight to influence the election of one representative :

* This number being too numerous to be influenced by that corruption which would rank it among rotten boroughs, the candour of history obliges us to rank it among the many that are made under the controul of aristocracy.

tative: the other depends on the attachments of a few of the leading men of property in the county to the ministry or opposition for the time being.

Berkshire contains 12 market towns and 140 parishes, and sends 9 members to parliament.

ABINGDON.

POLITICAL CHARACTER.—This is one of the few boroughs over which aristocratical influence or corruption has not yet been able to extend its controul, which is owing most probably to the two following causes: first, the borough sending only one representative, has only half the temptation for an opulent neighbour to enslave it; the other cause is, from the freedom of elective constitution, which seems thus to defy all arbitrary encroachments. For, though it was chartered so late as Philip and Mary, and its corporation and representative power vested in the select body, yet, by the exertion of its inhabitants, they have not only obtained the constitutional right of electing the members by the inhabitants at large, but likewise of their mayor and magistrates, which is the only security of their independence, and which a self-elected corporation would have long since subverted.

ORIGINAL

ORIGINAL REPRESENTATION—This borough, as a town of great trade, sent once, (11 Edw. III.) upon a peremptory summons, to the council, or national assembly; and received its charter, Nov. 24, 1557, from Philip and Mary, who then impriviledged them to send one burgeses to parliament.

CORPORATION—Consists of a mayor, two bailiffs, nine aldermen, and sixteen assistants. The mayor and bailiffs are the returning officers; and the electors, according to national right and justice, are the inhabitants paying scot and lot, and not receiving alms or any charity. (Jan. 18, 1680, and Jan. 8, 1689.)

RIGHT OF ELECTION—In the inhabitants paying scot and lot, and not receiving alms, 18 January 1708.

NUMBER OF VOTERS—600.

REMARKABLE RESOLUTION.

March 3, 1698. The house resolved, That the proceedings of William Hucks, esq. (in presuming to make use of the authority of the government to the borough of Abingdon, in order to be elected a burgeses for the said borough) is a scandalous reflection upon the government, and tends to subvert the freedom of elections of members to serve in parliament;

II. *Ordered*, That the said William Hucks, esq. be taken into custody.

Remark.—Were the house always to decide in similar cases so agreeably to the constitution, the government would reform itself without the aid of the people.

But the following passage, extracted from Burgh, shews this patriotic resolution had not a very long influence :

“ Sir Simon Harcourt complains sadly of ill
“ usage in his election for Abingdon, A.D. 1708,
“ reflecting severely on the house, and the wicked
“ arts used against him ; insisting to the last, that
“ he was the legal member, by a clear majority, by
“ the most fair estimation,” Deb. Com. iv. 111.*

READING.

POLITICAL CHARACTER—This borough, like Abingdon, has not yet been subjected to the arbitrary influence of any opulent individual. Corruption, indeed, has been said to have had its influence on former occasions : but as it has not yet been reduced to a system within the borough, or produced any convictions in the house of commons, or in the courts of justice, it is far from

* Burgh, vol. I. 294.

from us to attribute to it any undeserved delinquency; it being equally the intention of this work to praise public integrity, as well as to expose national injury. It may here be therefore observed, that its present representatives, Mr. Annesley and Mr. Neville, are gentlemen of independent connexions, and whose interest in this borough entirely exists in the good opinion of the electors.

It must however be here noticed, that although the borough is not immediately under the controul of any individual, yet the same cannot be said to have been always the praise of its representatives; for, in the pension parliament, Sir Francis Dolman, one of its members, appeared to have a pension of 200*l.* and was assisted by the court in the curious will, by which he obtained Quarles's estate, valued at 1600*l.* He was then clerk of the council, worth 500*l.* per annum, and had a promise of being secretary of state.*

ORIGINAL REPRESENTATION—This town has sent to parliament ever since 23 Edw. I.

CORPORATION—According to the charter of Charles II. consists of a mayor, recorder, twelve aldermen, and as many capital burgessees. The manor

* Burgh, vol. I. 392.

manor of the town was settled by king James I. after the death of his queen, on prince Charles his second son, afterwards Charles I. but it is now vested in the corporation.

NUMBER OF VOTERS—Above 600.

WALLINGFORD.

THIS borough, after exhibiting itself to the highest bidder for a number of years, is now bought up by Sir Francis Sykes, the nabob, who has possessed himself of all the houses which give the electors the right of suffrage.

ANCIENT REPRESENTATION—This borough has sent, like Reading, members to parliament ever since the 23 Edward I. It was called a city when William the Conqueror came here, after the defeat of Harold, to receive the submission of Stigand, archbishop of Canterbury, and other great men.

CORPORATION—Was chartered by James I. and consists of a mayor, recorder, six aldermen, and eighteen burgesses or assistants, who possess the rents and profits of the manor, fairs, and markets, by virtue of a lease from the crown. The mayor and six aldermen are the justices of the peace within the borough.

RIGHT

RIGHT OF ELECTION—In the corporation and inhabitants paying scot and lot, and receiving no alms (Dec. 15, 1709).

RETURNING OFFICER—The mayor.

PROPRIETOR—Sir Francis Sykes, baronet.

NUMBER OF VOTERS—140.

NEW WINDSOR.

POLITICAL CHARACTER—The interest in this borough, which preponderated in the contest between Keppel and Powney in 1780, is not to be named here, or in any other place. All that part of the town which is in Buckinghamshire is not within the limits of the borough. The corporation is in the interest of the Earl of Beaulieu, their high-steward; but they forgot not, upon any occasion, that a very great personage does them the honour of residing among them.

ORIGINAL REPRESENTATION—This town having been chartered as a borough A. 5 Edward I. began to return members to parliament in the 30th year of the same reign, and continued to send until the 14th Edward III. when it intermitted sending until the 25th Henry VI. Since this time it has regularly been represented.

COR-

CORPORATION—According to the present charter granted anno 1 James II. 1685, consists of a mayor, two bailiffs, twenty-eight burgesses, who are chosen out of the principal inhabitants, thirteen of whom are called fellows or benchers of the Guildhall: of these, ten from among them, beside the mayor and bailiffs, are chosen, and are styled aldermen.

RIGHT OF ELECTION—According to the following resolutions, it has been variously determined.

Nov. 4, 1680. "*Resolved*, That, in the borough
" of New Windsor, those inhabitants only
" who pay scot and lot have a right to vote in
" the election of burgesses to serve in par-
" liament for the said borough."

May 17, 1690. "*Resolved*, as the opinion of the
" committee, that the right of electing burgesses
" to serve in parliament for the borough
" of New Windsor, is in the mayor, bailiffs,
" and select number of burgesses only."

The question being put, that the house do agree with the committee in the said resolution, it passed in the negative.

April 5, 1697. "*Resolved*, That the mayor,
" bailiffs, and burgesses of *New Windsor*, have
" not the right of electing members to serve
" in parliament for the said borough."

" *Resolved*, That the borough of New Windsor
 " for hath a right to send burgesſes to par-
 " liament by preſcription.

" *Resolved*, That all the inhabitants of the
 " ſaid borough have the right of electing
 " members to ſerve in parliament for the
 " ſaid borough."

May 23, 1737. *On a new bearing for New Windsor*, The ſtanding order made on the 16th of Jan. 1735, for reſtraining council from offering evidence touching the legality of votes contrary to the laſt determination of the houſe of commons, was read; and the laſt determination of the houſe concerning the right of electing burgeſſes to ſerve in parliament for the ſaid borough, made the 4th Nov. 1680, which was then reſolved to be in thoſe inhabitants only who pay ſcot and lot, was likewiſe read. By this it appears, that the laſt deciſion of April 3, 1697, was not entirely ſatisſactory.

NUMBER OF VOTERS—280. The mayor is the returning officer.

The patron of this borough cannot with propriety be mentioned, leſt we might incur the rebuke of royalty.

COUNTY

COUNTY OF BUCKINGHAM.

POLITICAL CHARACTER.

THIS county is entirely under aristocratical influence. The Duke of Portland, and the Marquis of Buckingham, although of opposite parties, have mutually settled the present election without opposition. The son of the former nobleman, and the cousin of the latter, enjoy at present the representation.

Buckinghamshire contains fifteen market towns, and eighty-five parishes, and sends fourteen members to parliament.

FAMOUS CONTEST BETWEEN THE KING AND HIS PARLIAMENT.

This county is rendered memorable in the political world, by a contested election which happened A. D. 1604, in the reign of James I. The parties were Goodwin and Fortescue. Goodwin was declared, in the house of commons, duly elected. The lords desired a conference. The commons being startled at this interposition, the lords laid it upon the king. The commons, therefore, begged the king would be tender of their privileges. The king insisted

upon their holding a conference with the judges, if they would not with the lords. The commons remonstrated. The king, agreeably to his character, continued obdurate and obstinate; which caused the commons, with much reluctance, to yield. Goodwin appeared willing to wave his pretensions. His election was held void by the clerk of the crown, in consequence of his being an outlaw. The commons declined giving the lords any account of their proceedings, but proposed to send messages to the king, who, in fact, had no more concern with it than the lords. The commons then declared the proceedings could not now be reversed. They produced a precedent (27 Eliz.) of a bill brought down from the lords being rejected at the first reading. The lords asked why the determination of the house could not be reversed? The commons considered themselves not obliged to answer the question; which was the reason of their refusing the conference; though they declared themselves ready to confer with the lords on any proper subject, where their privilege was not concerned. The lords sent again to the house, that the king thought himself concerned that there should be a conference. The reason of the king interesting himself in this election was,
his

his thinking his direction, which he had a right to give in an authoritative manner, though undoubtedly it was sound advice, not to elect any outlaw, was despised by the house declaring *Goodwin* duly elected. The commons, attended by the speaker, waited on the king, and informed him that *Goodwin*'s election was duly carried on, and consequently *Fortescue*'s was void; that the outlawries against *Goodwin* were only for debt: and that he had sat unquestioned in several parliaments since the outlawry; and that, beside, it was not strictly pleadable, because of deficiencies in formality. They mentioned *Smith*, 1 *Eliz.* *Vaughan*, 22 *Eliz.* 3 others, 35 *Eliz.* *Killigrew*, who had 52 outlawries against him; and *Harcourt*, who had 18; as being all admitted to privilege. All these were in vain. He pretended, that, as the house derived its privilege from him, it ought not to be turned against him: and he said, that the court of chancery ought to judge of elections and returns, and quoted a precedent, 35 *Hen. 6.* when all the judges agreed, that outlawry is a cause of expulsion from the house. He therefore insisted upon a conference between the commons and judges, and that the result be reported by the house to his privy-council. The commons then proposed to make a law, that no
out-

outlawed person hereafter sit in the house, and to confer with the judges, not to reverse what they had done, but that they might profit by the judges' learning, and that they might satisfy the king. It was said there was no precedent of a member being deprived of privilege on account of outlawry; that parliament had contradicted the opinions of the judges concerning outlaws, since the time of Hen. VI. And these reasons against a conference they sent to the king. They insisted, that until 7 Hen. IV. the writs for election were returned to parliament, and not to chancery; and that the power of hearing and determining concerning elections, was always supposed to be exclusively in the house. Of these particulars they referred to many precedents, and asserted, that if the chancery were to judge concerning elections, the court would be soon master of the commons; and thus they apologized for still refusing compliance with the royal pleasure—"Not doubting," said they, "though
"we were but a part of a body, as to the making
"of new laws, yet, for any matter of privileges
"of our own house, that we are, and ever have
"been, a court of ourselves, of sufficient power
"to discern and determine, without their lord-
"ships, as their lordships have always used to

"do for theirs without us." The king still objected to the absurdity of giving legislative power to an *outlaw*. They answer, that, notwithstanding precedents for outlaws sitting in the house, they were determined, in compliance with his majesty's sense, to make a law to prevent it for the future; but that this law could not operate against *Goodwin*, being *ex post facto*; besides the want of formality in his outlawry, which rendered it null and void; and its being only upon mean process, and two general pardons issuing since it passed upon him, which, at any rate, would have cleared him. The commons meanly requested the intercession of the lords with the king, as having near access to his person; and sent a committee of their house to them, with their apology to the king. The lords asked the committee, if they might read the paper? The committee agreed. The lords asked, if they might amplify, explain, or debate, concerning any doubtful point. The committee answered, they had no warrant from the house for that. The paper was read; and the speaker attended the king at eight in the morning; on whom they waited until ten. The speaker returned, and reported, that the king protested he had the greatest desire to support their privileges.

That

That the king desired and **COMMANDED**, as an **ABSOLUTE** prince, that there might be a conference between the commons and judges, in presence of his council, not as umpires, but to report to him the issue of the conference. The house was amazed. It was therefore proposed by some to petition the king to be present himself, and judge. A committee is appointed; and the house ordered, that the said committee should only insist on the support and explication of the reasons already given, and not proceed to any other argument or answer. Sir Francis Bacon flattered the king's wisdom: Sir Francis flattered the king's wisdom shamefully. It was observed, that there had been no such concession made by the commons, to any king, since the conquest. It was disputed, whether the house of commons could properly be called a court of record. The king however proposed, that neither Goodwin nor Fortescue should sit in the house. It was accordingly resolved, that a new writ should be issued for Bucks. *Goodwin* voluntarily resigned his claim in a letter to the speaker. The mean-spirited commons sent even a committee to thank the king for thus depriving them of a member who they had before contended was duly elected. If such are the guardians of national right, on whom can the people depend for protection?

BUCKINGHAM.

POLITICAL CHARACTER.—This town, although it gives name to the county, is of the utmost insignificance, and comes exactly under the description of a rotten borough. Though this town was of great opulence, and the county-town, where the assizes were held, until, by the partiality of lord chief justice Baldwin, who bought the manor in the reign of Henry VIII. the county-gaol, assizes, and county business, were removed to Aylesbury.

This town owes its declension chiefly to a dreadful fire which happened on the 15th of May, 1724, when, out of 387 dwellings, no less than 138 were entirely consumed, with several of the out-houses, manufactures, &c. of the remainder.

The corporation consists entirely of the friends and dependants of the Marquis of Buckingham, who has the sole and absolute disposal of the borough. The whole number is thirteen, eight of whom are placemen.

ORIGINAL REPRESENTATION.—Buckingham is a very ancient borough. It was however so inconsiderable, at the Roman conquest, as, according to doomſday-book, to have paid only for one hide
of

of land ; and had only 26 burgesſes in the time of Edward the Confessor. This town is ſaid, by Willis, to have been the only borough in the county at the time of the conqueſt. It never ſent members to parliament before the laſt of Henry VIII. according to the principle of giving this privilege to boroughs by charter. But it ſent to the national aſſembly or council, as a trading borough, ſo early as 11 Edward III. when only the chief towns of trade were ſummoned : no knights of the ſhire were convened to this council. In the 27th of the ſaid king it was ſummoned, but made no return, and thus diſcontinued to ſend until the 36 of Henry VIII. as above-mentioned.

CORPORATION.—In the time of Edward III. it had a mayor and three bailiffs ; but being decayed in its trade and conſequence, it had only one bailiff, and was by charter (1 Mary) re-incorporated by the ſtyle of a bailiff and 12 capital burgesſes, who were by Charles II. changed into a mayor and aldermen.

With reſpect to the corporation, the houſe of commons reſolved, April 27, 1714, That *John Muſcott* was not qualified, according to the act of parliament *for the well-governing and regulating corporations*, to be a principal burgeſs of the

the borough of Buckingham, in the county Bucks.

The like resolution passed against three more of the same place.

This is observed as an instance of parliament descending to the disqualification of men as burgesses of a rotten borough.

This borough, after exhibiting itself the highest bidder for a number of years, is now bought up by Sir Francis Sykes, the nabob, who has possessed himself of nearly all the houses which give the electors the right of suffrage.

RIGHT OF ELECTION.—Is in the bailiff and 12 burgesses only. Nov. II, 1690.

NUMBER OF VOTERS—13.

PATRON—Marquis of Buckingham.

AYLESBURY.

POLITICAL CHARACTER.—This borough is not, like Buckingham, under the controul of a single individual. At present the representation is divided between the parties of opposition and administration.

ORIGINAL REPRESENTATION.—This town was made a borough by charter, A. 1 Mary, and then empowered to send members to parliament, dated Jan. 14, 1553-4.

In the chapel of the Rolls, in the bundle of returns of parliament writs, in the 14th Elizabeth, is this remarkable return, which particularly claims a place in this history of borough-representation.

“ To all christian people, to whom this pre-
 “ sent writing shall come; I, dame *Dorothy*
 “ *Packington*, late wife of fir John Packington,
 “ knt. lord and owner of the town of Aylesbury,
 “ send greeting: Know ye me, the said *Dorothy*
 “ *Packington*, to have chosen, named, and ap-
 “ pointed, my trusty and well-beloved Thomas
 “ *Litchfield* and *George Burden*, esqrs. to be
 “ my burgesses of my said town of Aylesbury.
 “ And whatsoever the said Thomas and George,
 “ burgesses, shall do in the service of the queen’s
 “ highness in that present parliament to be holden
 “ at Westminster the 8th of May next ensuing,
 “ at the date hereof, I, the same Dorothy Pack-
 “ ington, do ratify and approve to be of my own
 “ act as fully and wholly as if I were witness, or
 “ might be present there. In witness whereof,
 “ to these presents I have set my seal, this 4th
 “ day of May, in the 14th year of the reign of
 “ my sovereign lady Elizabeth, by the grace of
 “ God, of England, France, and Ireland, queen,
 “ defender of the faith, &c.”

This borough was incorporated as above, by the style of a bailiff, nine aldermen, and twelve burgesſes, who were to elect the members; but, by neglect, the corporation was dissolved. This town was a royal manor in the reign of William the Conqueror, who gave it to one of his favourites, to be held by an old tenure, namely, that he should provide litter or straw for the king's bed and chambers, and should furnish him with three eels in the winter, and two green geese in the summer, whenever his majesty came into the neighbourhood.

MODE OF OBTAINING VOTES.—The practice which is said to prevail here is, by giving five guineas to each voter. The manner of canvassing is by the candidates holding up their hands, and extending as many fingers as they mean to give guineas for each vote. Conformably to this custom, a whimsical anecdote is related of a certain knight, who, thus canvassing with all his fingers extended, persuaded the electors that such as voted for him would have ten guineas each elector: this being double the sum they were used to receive, he was chosen by a considerable majority. But the member being elected, he left the town immediately, and the electors as well satisfied as they ought to be who would

would barter away their birthright for a mess of pottage.

CAUSE OF ASHBY AND WHITE.—Matthew Ashby, having prosecuted Mr. White and others, the constables, for not receiving his vote, the house passed the following resolutions.

January 26. 1703.—Mr. Freeman, according to order, reported from the committee of the whole house, to whom it was referred to consider of the reports of the journals of the house of lords, touching the case of *Barnardiston* and *Soames*, the resolutions which they had directed him to report to the house, which he read in his place, and afterwards delivered in at the table, where the same were read, and, with an amendment, were agreed to by the house; and were as follows:

Resolved—That, according to the known laws and usage of parliament, it is the sole right of the commons of England, in parliament assembled, (except in cases otherwise provided for by act of parliament) to examine and determine all matters relating to the right of election of their own members.

Resolved—That, according to the known law and usage of parliament, neither the qualifications of any elector, nor the rights of any

any person elected, is cognizable or determinable elsewhere than before the commons of England, in parliament assembled, except in such cases as are specially provided for by act of parliament.

Resolved—That the examining and determining the qualifications or a right of any elector, or any person to serve in parliament, in any court of law or elsewhere, than before the commons of England, in parliament assembled, (except in such cases as are specially provided for by act of parliament) will expose all mayors, bailiffs, and other officers, who are obliged to take the poll, and make the return thereupon, to multiplicity of actions, vexatious suits, and insupportable expences; and will subject them to different and independent jurisdictions, and inconsistent determinations in the same cause without relief.

Resolved—That *Matthew Asby* having, in contempt of the jurisdiction of this house, commenced and prosecuted an action at common law against *William White* and others, the constables of *Aylesbury*, for not receiving his vote at an election of burgesses to serve in parliament for the said borough of *Aylesbury*,

bury, is guilty of a breach of the privilege of this house.

Resolved—That whoever shall presume to commence or prosecute any action, indictment, or information, which shall bring the right of the electors or persons elected to serve in parliament, to the determination of any other jurisdiction than that of the house of commons (except in such cases specially provided for by act of parliament), such person or persons, and all attorneys, solicitors, counsellors, and serjeants at law, soliciting, prosecuting, or pleading in any such case, are guilty of a high breach of the privilege of this house. *

On the 7th of February, 1698, Resolved, That all persons receiving alms within the borough of *Aylesbury*, pursuant to the will of Mr. *Bedford*, or any other persons receiving any other charity, annually distributed in the same town, are, in respect thereof, disabled to vote in the election of burgesses to serve in parliament for the said borough. This was altered from what the committee reported, and agreed to by the house.

* Mr. John Sargent, one of the freemen of Hastings, brought an action against Millward, the mayor of that borough, in the face of these resolutions, and recovered £260 of him, by the verdict of a Sussex jury, for refusing his vote at the general election, in 1784.

RIGHT OF ELECTION—Is in all the householders not receiving alms, January 28, 1765.

RETURNING OFFICERS—The constables who are appointed by the Lord of the Manor.

NUMBER OF VOTERS—500.

PATRON—The highest bidder.

G R E A T M A R L O W.

POLITICAL CHARACTER—The borough of Great Marlow, being the joint property of William Clayton, esq. and W. Lee Antonie, esq. is one of those many which can boast of no privilege except that of voting at the will of a superior. Some may think to be thus exempted from the trouble of choosing for themselves, a considerable advantage; for by this method they are certainly secure from the censure of a weak judgment, or an interested choice: those who are deprived of their will can neither have their reason condemned, nor their motives scrutinized. It may be proper here to observe, that William Clayton, esq. resigned his seat, at the last election, to Thomas Williams, esq. a partner in the Anglesea copper-mines.

The majority of the houses and property joining the borough belonging to the above gentle-

men, no opposition to them can ever be attempted with success.

ORIGINAL REPRESENTATION—This borough sent fourteen times to parliament before the 3d Edw. II. and then ceased sending for 400 years, until it was restored 21 James I. when it began again to send members.

RIGHT OF ELECTION—Was resolved, Dec. 21, 1680, and Nov. 21, 1690, to be in those inhabitants only who pay scot and lot.

RETURNING OFFICERS—The constables.

NUMBER OF VOTERS—216.

PATRONS OF THE BOROUGH.—William Clayton, and W. Lee Antonie, esqrs.

WENDOVER.

POLITICAL CHARACTER—This borough is one of those where the elective franchises of the inhabitants are transferable in the representative market like any other goods and chattels that may be purchased. It was the sole property of the late Earl Verney; but, during his lordship's life, it was sold to its present possessor, John Barker Church, esq.

ANECDOTE.—A circumstance happened, during the possession of the late owner, which is too remarkable to omit. All the houses being then

then the property of the late Earl Verney, and the tenants in general living rent-free, on condition of giving their votes to such gentlemen as his lordship should nominate, the electors were prevailed upon, in 1768, to accept a present good in preference to the above privilege.

A Mr. Atkins, a considerable lace-manufacturer in this place, had undertaken, by a *coup-de-main*, to carry the election against his lordship's interest, and conducted his measures with such secrecy, that no opposition was expected until the day of election. At this moment, to the astonishment and confusion of Earl Verney, and his agents, Sir Robert Darling, a former sheriff of London, was proposed, and immediately returned by a considerable majority. This disobedience to his lordship's wishes was punished by the voters being instantly ejected out of their houses, and obliged to take refuge in huts and tents, where they remained for six months, in all the penitence of sorrow, until a promise of good behaviour in future, so far softened the rigour of this noble resentment, as to suffer them all, with some few exceptions, to repossess their former dwellings.

The inhabitants keeping this severe treatment in remembrance, took the first opportunity to retaliate upon his lordship, by a repetition of their

former conduct in 1784; when his lordship, having every reason to apprehend that he should lose his seat for the county, offered himself and Mr. Jolliffe as their candidates. The electors, well knowing the deranged state of his lordship's private affairs would oblige him to sell, very shortly, his property in the borough, took the opportunity of again putting up their suffrages to the highest bidder. One individual engaged, that two candidates should be chosen against his lordship's interest and influence, for £.6000. This being settled, a gentleman was employed to go down, where he was met, according to previous appointment, by the electors, at a mile from the town. The electors asked the stranger where he come from? He replied, "FROM THE MOON." They then asked, "WHAT NEWS FROM THE MOON?" He answered, that he had brought from the moon £. 6000 to be distributed among them, by the borough agent, and to whom the money was then delivered. The electors being thus satisfied with the golden news from the moon, chose the candidates, and received their reward.

We have frequently heard of lunar influence; but we never remember to have met with such prevailing arguments in favour of it as the above. No one can therefore be surprised, that near

100 persons should be so affected by this Cynthian impulse, as to lose all sense of obligation to their noble friend, except that of not giving him the trouble of guarding their political interests any longer.

The borough was some time after purchased by the present possessor, J. B. Church, esq. against whom a feeble opposition was made by two gentlemen in the interest of the Marquis of Buckingham; but as the moon had withdrawn her influence, the people were determined to prefer a *Christian Church* to an *Apostate Temple*.

ORIGINAL REPRESENTATION—This borough returned, 28 Edw. I. and 1, 2 Edw. II. when it intermitted sending members, like Great Marlow and Agmondesham, during 400 years, until it was restored by petition, 21 James I.

RIGHT OF ELECTION—Nov. 21, 1702. "*Resolved*, That persons coming by certificate to live in the borough, have not thereby a right to vote for the election of members to serve in parliament for the said borough. The right is, therefore, in the inhabitant housekeepers within the borough, not receiving alms."

RETURNING OFFICERS—The constables.

NUMBER OF VOTERS—130.

PATRON OF THE BOROUGH—J. B. Church, esq.

POLITICAL

AGMONDESHAM.

POLITICAL CHARACTER — This borough, which includes in its limits no more than one half of the place which bears the above name, is wholly the property of Wm. Drake, esq. of Shardeloes, near this place. Sir William Drake, bart. bought it of Charles II. It is one of those towns which admit of no opposition; for none can be made, where no political will is enjoyed, and where the privilege of franchise is only the necessity of obedience. The only vice, therefore, inherent in its constitution, is that which attends all those places represented at the discretion of one individual, instead of the free consent of the whole community of the borough.

ORIGINAL REPRESENTATION.—This borough having returned to parliament, 28, 34, 35 Edw. I, and 1, 2 Edw. II. intermitted sending for the same period as Wendover and Great Marlow, until it was restored, like them, by petition, 21 James I.

RIGHT OF ELECTION—Was resolved by the house, Dec. 11, 1680, and Dec. 1, 1705, to be in the inhabitants paying scot and lot only.

RETURNING OFFICERS—Are the constables of the lord's lect.

NUMBER OF VOTERS—Reduced from 130 to 70.

PATRON—William Drake, esq.

HIGH WYCOMB.

POLITICAL CHARACTER—Although this borough is one of the largest towns in Buckinghamshire, the right of election is in the corporation only, and which consists of less than 50 members, the greatest part of whom are non-resident. The patronage had, for above a century, been possessed by Edmund Waller, esq. * of Hallbarn, near Beconsfield: but the Marquis of Landsdown, who has a seat in the neighbourhood, and whose family receive from this town the title of baron, has, for near 30 years, possessed the influence of returning one member; and at the last general election he had the address to secure the whole. An opposition was however made by the eldest son of Sir John Dashwood, bart. upon Mr. Waller's interest; but the interest of the Marquis prevailed; the numbers upon the poll being,

For Earl Wycomb, 34

Sir John Jervis, - 26

Mr. Dashwood, - 22

ORIGINAL REPRESENTATION—This borough has returned to parliament ever since 28 Edw. I.

CORPORATION—It had a mayor *tempore Hen. VI.* and by charter of James I. has now a mayor,

* A near descendant of Waller, the celebrated poet.

mayor, recorder, two bailiffs, 12 aldermen, and a town-clerk.

RIGHT OF ELECTION—Is in the mayor, bailiffs, and burgeses not receiving alms.

RETURNING OFFICERS—Are the mayor and bailiffs.

NUMBER OF VOTERS—48.

PATRON—Marquis of Lansdown.

The three following resolutions are inserted, to shew to what mean artifices corruption and influence will descend, in order to obtain a majority in such venal boroughs.

March 17, 1725. *Resolved, nemine contradicente,*

That it appears to this house, that in an entry of burgeses made at the borough of *Cheping Wycomb* in the county of Bucks, dated the 20th of May, 1717, there has been an *erasure* lately made, and the name of *Capt. Paget* inserted without any legal authority.

2. *Resolved, nemine contradicente,* That it appears to this house, that, in an entry of burgeses, made at the borough of *Cheping Wycomb*, dated the 26th of *September*, 1723, an *erasure* has lately been made, whereby the name of *David Shilfore*, a burges of the said borough, is erased.

3. *Re-*

3. *Resolved, nemine contradicente*, That *Sampson Tresly* and *John Widiner*, who were admitted to vote at the late election of a burgeses to serve in this present parliament for the said borough of *Cheping Wycomb*, (having no pretence to be burgeses of the said borough, but under a charter of James II. which was never accepted or enrolled) have no right of voting in elections of burgeses to serve in parliament for the said borough.
-

CAMBRIDGESHIRE.

POLITICAL CHARACTER.

THE aristocratic interest prevailing in this county is that of the Duke of Rutland and Earl of Hardwick conjointly. Their relations or friends have succeeded in every election so long, as to intimidate every person who might be otherwise disposed to offer themselves as candidates against this formidable influence. It must be however observed, that the Duke of Bedford, having great property in this county, has a considerable interest. But should a contest arise from this circumstance, instead of restoring the independence

independence of the freeholders, it would only be a struggle for the pre-eminence of aristocracy. Thus the freedom of choice inherent in the people must be ever overwhelmed, while the exercise of elective franchise is transferred from person to property.

The last election of any consequence was in 1780, between Lord Robert Manners, brother to the late Duke of Rutland, and Philip Yorke, esq. nephew to the late Earl of Hardwick, against Sir Sampson Gideon; when the numbers polled were,

Lord Robert Manners,	1741
Philip Yorke, esq.	1452
Sir Sampson Gideon,	1058
Total of the poll	4251

In the above contest, Sir Sampson Gideon was supported by the whole influence of the minister of the day; but the court engine was found too feeble to shake the two pillars of aristocratic alliance.

Upon the death of Lord Robert Manners, Sir Henry Peyton was elected; and, upon his decease, General Adeane was chosen: both of these members were elected upon the Rutland interest.

When Philip Yorke, esq. succeeded to the title

title of Earl of Hardwick in 1790, his brother, Charles Yorke, esq. succeeded him in the representation of this county. The family depend upon their interest for a permanent seat, with as much security as they do upon their peerage for an hereditary seat in the other house.

CAMBRIDGE.

POLITICAL CHARACTER.—The right of voting in this town has been limited, like the majority of the other towns and boroughs of Great Britain, to the corporation. The leading man in this corporation is John Mortlake, esq. banker of the town. In the ministry of the Duke of Portland, he was the friend of the Coalition; to support which, he caused additional freemen to be made: among these was the Right Hon. Mr. Fox. But having since seen the road to preferment much clearer through the medium of the Rutland interest, he caused a greater number of electors to be made, of that complexion, to give a second change to the political bias of this constituent body. The minister has since seen the merit of Mortlake in such advantageous colours, as to promote him to the lucrative places of a commissioner of the tax-office and receiver-general of the post-office,

Cor-

CORPORATION — It was incorporated by Henry I. and is governed by a mayor, high steward, recorder, twelve aldermen, &c. The mayor at the entrance into his office, takes an oath to maintain the privileges and customs of the university, which, although the town is so large as to contain 14 parishes, is the chief glory of the place, and is said to have been founded before the birth of Christ. However, it was certainly a school of learning in 630, under Sebert, king of the East Angles. The town of Cambridge is noticed in doomsday-book; in which it is described to have been then divided into ten wards, containing 387 houses. After the conqueror's death, Roger de Montgomery destroyed it with fire and sword, to be revenged on William Rufus: in this destruction, the university was entirely abandoned. Henry I. however, bestowed upon it many privileges; such as, exempting it from the power of the sheriffs, and making it a corporation, on paying annually 100 marks into the Exchequer, which was the same sum as the sheriff paid before for the profits of the town: he also ordered, that the merchants in the guild in Cambridge should be free from all toll, passage, lading, portage, and stallage, in all the fairs in his dominions on this side and beyond the seas.

RIGHT

RIGHT OF ELECTION—Is in the mayor, bailiffs, and freemen not receiving alms. (Feb. 24, 1709.)

NUMBER OF VOTERS—200. The majority of them are non-residents and placemen.

PATRON—Duke of Rutland.

The numbers polled at the last contest in 1780 were,

Benj. Keene, esq. 96

J. War. Adeane, esq. 83

Chris. Potter, esq. 18

CAMBRIDGE UNIVERSITY.

POLITICAL CHARACTER.—The elective influence may be considered as chiefly ministerial, from Mr. Pitt being now high-steward and one of its members.

RIGHT OF ELECTION—Is in the doctors and masters of arts.

NUMBER OF VOTERS—Appears, from the state of the last poll, to be nearly 1200. The numbers were,

Right Hon. William Pitt, 509

Earl of Euston, 483

Laurence Dundas, Esq. 207

CHESHIRE.

POLITICAL CHARACTER.

THIS county was, in the time of the Romans, one of the five counties inhabited by the Cornavii. This distinguished name remained probably until the Romans left the island; for the *Notitia Provinciarum* observes, that some troops of the Cornavii made a settlement under the latter emperors. The Romans being obliged to keep always strong garrisons in their provinces, lest they should revolt, proves them to have been a very martial people.

During the heptarchy, this county was included in the kingdom of Mercia, and was possessed, about 200 years, by the successors of Creda, the founder of that kingdom, until the Danes invaded it under the reign of Burthred. Alfred the Great, driving the Danes from Mercia, A. D. 877, made it a province to his kingdom, of the West Saxons, and constituted Ethelred, a descendant of a Mercian king, governor of it. Ethelred dying, it was governed many years by his widow, Edelfleda, who is often mentioned in ancient descriptions of this county. She was sister of Edward the elder, being eldest daughter to the

the great Alfred by his wife Ailswitha. Being subjected again to the Danes under Canute, it was committed to the care of Leofric, who was called earl of Cheshire: his son Algar, and grandson Edwin, were his successors: but, during the government of the latter, it was, with the rest of the kingdom, subjected to the Romans, by William I. who gave it to Gerhord, a Flemish nobleman, for contributing greatly to his victory over Harold. It was given afterwards by William to his nephew, Hugh Lupus, by this remarkable tenure, "To hold to him and his heirs as freely by the sword as the king held the crown of England." This grant comprehended those great privileges and immunities which it possessed from being thus made a county palatine. Towards the declension of the Roman empire, Palatini were only the officers of the courts of princes; but, in process of time, this title distinguished a superior order of men, who had the management of the state immediately under the king or emperor. Thus, such as exercised this sovereignty of jurisdiction in any particular district or province, were termed *Counts Palatine*, and the place where the jurisdiction was exercised, a *Palatinate*.

By the above grant, Cheshire had all the privileges of a palatinate, although the earls were

were not vested with the titles of counts palatine. It had a very high sovereign jurisdiction; for Hugh Lupus, as well as several of his successors, convened parliaments, consisting of barons of their own creation, and of their own tenants, who were not bound by the acts passed in the general parliament of the kingdom. This power, which was originally granted for very prudential reasons, namely, to enable the earl to repel the incursions of the Welch, or to quell any sudden insurrection of the English in that district or neighbourhood, became very formidable to the crown. This continued in full vigour, until it was retrenched, and the county made not only subordinate, but dependant on the crown of England. Many of their ancient immunities are however still retained; for all pleas of lands and tenements, and all contracts arising within this county, are yet judicially heard and determined within the same; and if any determination in such matters be made out of the county, except in cases of error, foreign plea, and foreign voucher, it is void. But felony and treason are determined by itinerant judges in their circuit.

This county is not entirely under the influence of the nobility: although the Earl of Stamford, Earl Grosvenor, and the Cholmondeley family, possess

possess considerable interest, Mr. Crewe, the present member, is equal to either in popular respectability. It is, at present, represented by a member of each party. Thus mutual agreement to share the elective influence in most of the counties seems to have arisen from former oppositions having, in general, cost the parties from 20,000*l.* to 100,000*l.* These enormous sums being expended for the purpose of obtaining a seat in the house of commons, prove the great expectations even a knight of the shire must have from being chosen a representative. If such sums are disbursed, is it possible for any person to deny that county representation is incorruptible? Admitting that all the money is expended in merely treating the voters, yet giving, or causing to be given, or even promising a voter any meat, drink, or gift, before an election, subjects the candidate, if returned, to disqualification.*

* And because all elections should be free from bribery, it is further enacted by the statute 7 Wil. chap. 4, that after the teste of the writ of summons, issuing out any writ for electing a member, if any person by himself, or by any other in his behalf, or at his charge, shall before his election give, or promise to give, the voter any meat, drink, or gift, &c. for his vote, such person shall be disabled to serve in parliament, and shall be deemed no member.

It is therefore evident that all members, whether the representatives of counties, cities, or boroughs, as spend any sums in treating the voters, sit in the house contrary to the statute law of the land. How thin would the congregation of St. Stephen be, on their annual call to ministerial devotion, were the political excommunication put in force that has been provided for by the statute here alluded to of 7 William I. According to this act, the people might refuse to submit to all laws made, and taxes levied, by a parliament whose members are, by treating of voters, mostly disqualified. In their defence they might produce the statute, which would deem the greater part no members, from having thus violated the letter and principle of laws formed for the destruction of ministerial influence and security of national independence.

CHESTER CITY.

POLITICAL CHARACTER.—Although the number of electors is above 1000, its representation is entirely at the disposal of Earl Grosvenor, whose brother and son are the present members, and whose family have possessed the same influence, except in one or two instances at the revolution,

ever since the reign of Charles II. This influence is created and preserved by securing the corporation, which appears to be not immaculate, for more than a century, and by obtaining a lease from the crown of a number of tenements in this city. The members of the corporation, letting these from year to year only, as his lordship's agents, to electors, at low rents, operate so far on their fears and necessities as to controul their independence. To secure their own houses, they care not whom to send to reside in the house of the nation. Thus, they never reflect that their indifference to the choice of their members, makes them eventually pay in taxes much more than they save in their rents. They should, therefore, be reminded that this barter of privilege for a local tenement is only exchanging their national fabric, the constitution, for a contemptible hovel.

Mr. Eddowes, of this city, with the virtue and firmness of a Fabius, having many years opposed this torrent of corporation and aristocratical influence, has at last triumphed over that rod of despotism, the charter of Charles II. which was granted upon the violation of the great charter of Henry VII.

ANTIQUITY.—Chester being one of the most ancient and remarkable cities in the kingdom, it is necessary to devote a few pages more to it than we have allotted in general to the rest contained in these volumes.

It is a city of great antiquity, and derives its name from *Castra*, the latin name for a camp, which the Roman legions frequently formed in the neighbourhood. Galba, particularly, encamped here the 20th legion, that was called *Victrix*. Thus many Roman antiquities found in and near this city, prove it to have been of considerable consequence, so early as the residence of that people in this island. From a coin of Geta that was found, having the inscription of *COL. DIVANA LEG. 20 VICT.* it appears Chester was made a Roman colony by Geta, when he was left to take care of the southern parts of Britain, at the time his father, the emperor Severus, and his brother Caracalla, were advancing into Caledonia. Before the end of the seventh century Chester was the seat of a bishop, whose pastoral care extended over a part of the Mercian dominions. In the days of Arthur, grammar, philosophy, and the learned languages, were taught here. Cadway and Cadwan, two British kings, having defeated the Saxons, were crowned here ; and a parliament

was

was held in this city by the former. Ethelwolf had the ceremony of his coronation performed here. It is likewise said that Henry IV. emperor of Germany, who married Maud, granddaughter of William the conqueror, and had imprisoned his father, the pope, and the cardinals, withdrew himself from the world, and lived a hermit, unknown as to his real character, at Chester, ten years; but death approaching, he discovered himself: he lies buried here.

When the great survey was taken by William I. the earls, who had all the city except what belonged to the bishop, paid gelt or tribute for fifty hides of land, forty houses, and seven mint-masters.

From the earliest accounts of the constitution of Chester, it was a mercatory guild, or corporation of merchants and artificers: and that it was the most important among its contemporaries, may be inferred from its being well known as the western emporium of commerce in the island; and its two great annual fairs, granted by the first earls, are an existing evidence of its ancient commercial consequence. Its trade, in the time of Edward I. was so considerable, that it paid a yearly fee-farm rent to the crown of 100l.; but, the harbour being choaked with sand, the trade was

ne-

necessarily transferred to Liverpool, as the nearest and most convenient port.—To this cause may be ascribed the present opulence and prosperity of Liverpool.

CORPORATION—or guild, consisted of twenty-four companies: over each presided an alderman, who, according to the ancient customs, was annually elected. There were two officers, called keepers of the guild, who admitted freemen, received customs, rents, and fees, and who we may suppose, were the primitive *leave-lookers*. These, with the sheriffs, who derived their authority from the earl, and the murengers, probably existed before there was a mayor. It does not appear when the latter chief magistrate was introduced into the corporation; for a charter of Henry III. mentions him as then being, and not as then created. It is however evident, that all the above offices existed before the charter of Hen. VII. dated April 6, 1506; for this granted no new offices or privileges: it confirmed the ancient customs of the place, and gave a sacred and inviolable sanction to the original right every citizen had to choose all the principal officers of the corporation; but the official power and authority was, by the efforts of intrigue and violence united, rendered perpetual in this city

as well as in every other in the kingdom. To this may be attributed the office of alderman, that was originally but annual; being now, in this and every other corporation, held for life. Ambition thus availed itself of the natural prejudices, and the most grateful affections of mankind, to subject them to their oppression, by seducing them to resign their independence. When an alderman had, by good behaviour, excited the gratitude, and rivetted the attachment of his elective citizens, he was frequently retained in his office, when the safety of municipal privilege should have obliged him to resign. In this manner the best of moral actions were the destruction of the most valuable privileges. Those who were thus allowed to continue in office longer than the time prescribed by custom and constitution, assumed the temporary sufferance of their electors, as an undefeasible right for life. Knowing they could have no chance of being chosen the chief magistrate, while they were liable to be removed from their aldermanship by annual election, they chose rather to violate the rights of their fellow-citizens, than lose an opportunity of gratifying their lust of power and vanity of eminence. This infringement of privilege arose from the mayor not being chosen among those
who

who had been aldermen, as well as those who were; and this defect in the municipal policy may be assigned as the cause of aldermen holding now their offices for life, who before held them only for a year. Great abuses soon arose from this violation. — In 1554, it appears that the mayor appointed the common-councilmen. In 1574, the confirmation which Elizabeth gave, in the sixth year of her reign, to the charter of Henry VII. was, by the immaculate corporation, surrendered for one that was more favourable to the encroachments they had made on the privileges of their fellow-citizens. — In 1604, James I. gave a confirmation of the charter: this seemed to have less sincerity than compliment. His Majesty attempting, the year following, to nominate a recorder, is an evidence of that royal interference in the affairs of corporations, which began in this reign, and was carried to such a dangerous excess by succeeding kings, as almost to threaten an entire subversion of the few privileges charters had restored to the people. — In 1662, Lord Brereton, Sir Peter Leicester, Sir Richard Grosvenor, and Sir Geoffery Shackerby, acting as commissioners for regulating the corporation, endeavoured to remove several aldermen and common-councilmen, who appeared too
much

much attached to the interests of their fellow-citizens to be the avowed tools of government. To this origin may be traced those divisions and animosities which have frequently risen to such an alarming height in this city, and which can scarcely be said yet to have subsided. To such a degree was popular discord carried, that, at a parliamentary election in 1672, the recorder, Mr. William Williams, and Colonel Warden, who had been gentlemen of the bed-chamber to the Duke of York, afterwards James II. being opponent candidates, eight men were killed in the crowd, at the foot of the stairs of the common-hall; and the poll was, in consequence, adjourned to the Rood Eye. This is one of those many dismal and disgraceful casualties that too frequently attend those times, when the people are called together to exercise their elective privileges:—at a period when the voters of this kingdom should be suffered to choose their representatives with that peace, order and decency, which ought to characterise the constitution of a parliament, discords are fomented, and outrage abetted. The people are first intoxicated, and afterwards bullied. The very instant in which they are assembled to preserve their lives, rights, and properties, privilege is banished, rapine encouraged,

couraged, and murder committed. These are the blessings we have enjoyed ever since a seat in parliament has been more advantageous to the representative than the constituent. To countenance such proceedings, encroachments were made on this and all other corporations. In this general abridgment of independence, the charter of Chester was altered; for, in 1676, a new charter was made, which, although it left the right of election, as prescribed in that of Hen. VII. unaltered, introduced several innovations with respect to the election of all the corporate offices, so as to render their possessors more immediately dependant on the sovereign.

The opposite parties being nearly equal in strength and affluence, agreed for a time to divide the representation.

The great subject of dispute between Charles II. and his parliament, was the excluding his brother, the Duke of York, a professed papist, from succeeding to the crown. No sooner had the king called them together, for the purpose of obtaining supplies, than a bill of exclusion was agitated, and made the *sine quâ non* of every pecuniary grant; and such were the apprehensions of the consequences of the duke's accession to the crown, that even that part of the nation who

who were zealously attached to the king's person, and the more sensible and moderate, supported the measure of exclusion. Every election consequently produced new advocates for it in the house of commons, in defiance of all the strenuous efforts of court-influence. As money could not be had without parliaments, nothing remained, but for the crown to attempt the acquisition of such a decided sway in the choice of members, as to render all opposition too feeble to counteract its designs. It was therefore imagined, and not without reason, that this might be effected by assuming the power of nominating the officers of corporations: and as this was only to be done by the demolition of charter, a plan was formed for this purpose of avowed tyranny. Some boroughs were terrified, and others cajoled into a surrender of their charters; and against those that were obstinate, informations, in the nature of a *quo warranto*, were filed. These violent proceedings soon evinced that the court were determined to establish their arbitrary designs. With these views, there were not wanting, in Chester, men who were ready to adopt any measure, however despotic, provided they were permitted to share the unconstitutional authority. To this end, a voluntary surrender of their old
charter

charter was attempted; but this measure, being too despotic, proved abortive. It was therefore necessary to have recourse to compulsion. An information was filed; and the result was, that judgment was given, *that the liberties of Chester should be seized into the king's hands*, until the court should further order; which was accordingly executed by a writ of seizure. A rule for final judgment being given the next term, and the corporation showing no cause against it, a farther rule for entry of that judgment was made, which, however, from some neglect, was omitted. The Tories availed themselves of these circumstances, to obtain a new charter, have their own mayor, and to fill the corporation entirely with their own creatures. Regardless of the reproaches and execrations of their fellow-citizens, whom they had thus despoiled of those rights restored to them by charter, they triumphed in the smiles and sun-shine of court-favour; and, as if tyranny had completely vanquished the patriotism of Chester, a tablet was placed over the Pentice-door, with an inscription, importing "that the new charter was acceptable to all good men." So venal and dependant the corporation became afterwards, that, when James II. visited this city, the recorder, Leving, at the head of the
cor-

corporation thus addressed him: "The corporation is your Majesty's creature, and depends merely on the will of its creator; and the sole intimation of your Majesty's pleasure, shall ever have, with us, the force of a fundamental law."

When James made an alteration in most of the charters in the kingdom, the like attempt was made on the city of Chester: but the independent citizens, conceiving that this offer was only made to seduce them into a resignation of their religious liberty, unanimously refused its acceptance, and desired to have their ancient charter of Hen. VII. restored. Thus, through the dismissal of the corporation created by Charles's charter, and the non-acceptance of that of James, the city was destitute nearly three months of magistrates, and the election-day passed without any officers being chosen. The king, indeed, was at that time busily employed in endeavouring to repair the wrong steps which were effecting his ruin, by particularly replacing all the corporations on their former footing: the greatest care was taken, that no force might be wanting to restore the ancient franchises to Chester. On the 18th of November, after the Prince of Orange had landed on the 4th, the corporation re-assumed its ancient privileges.

In

In 1692, it was acknowledged by all, that the charter of restitution had, to every intent and purpose, revived the ancient franchises; among which, that of electing aldermen and common-councilmen, by the citizens at large, was as expressly granted as any other; and as it presented a probable remedy against the encroachments of aristocratic power, it was resolved that it should be adopted.

In October, 1692, Colonel Whitely was chosen mayor; and so pure and patriotic was his conduct, that he was continued in the mayoralty four years successively. Being obliged to retire from the fatigue of his office, he convened, a few days before this event, the corporation, and presented them a set of regulations for their future choice of aldermen and common-councilmen: these were so excellent, that they were unanimously received, and deserved the approbation of every honest and sensible mind. This worthy citizen, being succeeded by one of opposite principles, the freedom of the corporation was again subverted, by causing the elections of the city-officers to be made by a select body. This was opposed by the citizens at large, in a petition signed by Roger Whitely and ten others; which,

which, however, after great struggles, proved ineffectual.

In 1698, the citizens were convened, and, by some artful means, persuaded to elect the whole body, and then to vote, that they should *continue in their offices according to ancient custom*. Thus was entirely destroyed the ancient privilege of annual elections in the corporation.

A general election approaching in 1734, both parties began to muster their forces. This proved to be one of the severest contests which the city had ever experienced. Their passions already inflamed, and conscious of the enormous weight of influence against them, the Whigs were driven into excesses which would have been inexcusable on any other occasion. It was apprehended that the corporation, having the power of making freemen in their own hands, might procure as many votes as they wanted. Some of the aldermen, having met in the Pentice at a late hour, on the Tuesday preceding the election, suspicion arose, that the whole night was to be employed in admitting to the freedom of the city as many of their party as they could conveniently introduce. A mob presently assembled about the Pentice, where they

they broke open the door, assaulted and drove out the aldermen, and damaged considerably the windows and furniture. Their adversaries, feeling their inferiority in this kind of contest, resolved to call in foreign assistance : the following day, therefore, a large body of colliers, and other countrymen, were brought from the neighbourhood of Wrexham, by the direction and under the influence of Mr. W. W. Wynne, The citizens, hearing of their approach, retired into the castle, and there armed themselves with old swords, helmets, and breast-pieces ; and, thus formidably accoutered, sallied forth to meet their foes. A bloody encounter ensued in Bridge-street ; and the Welchmen, after several of them were dangerously wounded, were soon routed and put to flight. It was now agreed, that hostilities should cease, and some plan should be settled for conducting the election in a peaceable and regular manner. The poll continued from Friday to Monday ; and both parties so exerted themselves, as to bring votes from the most distant parts of the kingdom, and even from Ireland, in direct contradiction to the charter, which limits these elections to be made by *common* citizens. The majority, as might be expected,

expected, was in favour of the corporation member; but no sooner were the books closed, and the mayor and his attendants retired from the hustings, than they were obliged to retreat into the Exchange coffee-house. They were, however, not here secure; for the mob broke in, seized the sword and mace, and, chairing their favourite candidate, bore him before them to his house in triumph.

As the corporation still exercised the overbearing influence, recourse was had to the only remedy against exorbitant power, which is that of recurring to its original and constitutional source—the *people*. Informations were accordingly brought against Johnson the mayor, 10 aldermen, and 18 common-council, for usurping the privilege of electing aldermen, exclusive of the commonalty. After a considerable contest, the Tories prevailed; and the Whigs, from disappointment and exhausted finances, seemed to have been, for that time, entirely dispirited and disunited.

An attempt was made to rally them, in 1747, under auspices which seemed to insure success. It appeared that, at the election of 1734, the right of non-resident freemen to vote had been ques-

tioned; and it was now resolved to try the issue. The minister, to whom the Grosvenor family was inimical, encouraged baron Mainwaring to oppose administration. They were probably induced to this from the hope that, if the question concerning non-residents should be agitated, his support would not be wanting. The election was carried on with all the heat and violence of former times; and the Tory party, counting non-residents, had the majority.

A petition was presented, and the enquiry commenced, which clearly tended to establish the right of election in *resident* freemen only. And now Sir Robert Grosvenor found himself in a very disagreeable dilemma: he considered that his interest in Westminster must be devoted to the minister, or he would be obliged to resign *one* representation for his hereditary borough, to which he could by no means consent. But, as it was no novelty in his family to change principles, for the purpose of preserving the superiority in Chester, a compromise was made the evening before the final issue of the petition: and, notwithstanding the resolutions of the preceding day, the counsel for the petitioners were instructed to say, "that they would give the house no farther trouble."

Thus

Thus was the baron made the victim of ministerial duplicity. We may therefore rejoice at the day that Mr. Grenville's act has placed the issue of contested elections in more impartial hands than those of an influenced majority of the house of commons.

From the above and other succeeding circumstances, respecting the conduct of the corporation and their opponents, it is evident that the former have always endeavoured to preserve their power by abridging and extinguishing the liberties of the people as much as they possibly could, while the latter have always endeavoured to found their pride and distinction on the defence of the rights and privileges of their fellow-citizens.

ANCIENT REPRESENTATION—This city being the capital of a county palatine, did not send members to the national parliament before they were granted the privilege by act 34 and 35 Henry VIII. c. 15.

RIGHT OF ELECTION—was determined, Feb. 2, 1747, to be in the freemen.

NUMBER OF VOTERS—are 1000.

RETURNING OFFICERS—the sheriff.

PATRON—Earl Grosvenor.

F 2

CORNWALL.

CORNWALL.

POLITICAL INFLUENCE.

THIS county is not entirely under the influence of the nobility. The Duke of Leeds, the Earl of Mount Edgecombe, Lord Viscount Falmouth, Lord Camelford, and Lord Eliot, indeed, command a most powerful interest: but when opposed by the Prince of Wales, as sovereign of the county, the Duke of Bedford, and the Duke of Northumberland, the independence of the county has had an opportunity of exerting itself. The first of these parties, however, prevailed at the last election; but the majority was not very considerable.

NUMBER OF VOTERS—in this county, are 2700.

SALTASH.

POLITICAL CHARACTER.—Parliamentary influence has been an object of legal contention in this borough for near twenty years. The question has been, whether the right of election was in the corporation, consisting of twenty-eight members, or in the freeholders of ancient houses or their sites, held by burgage-tenure, of which there are thirty-eight, and all the property of Mr.

J. Buller,

J. Buller, brother to the judge, and one of the Commissioners of the Excise.

This question has been four times contested at different elections, and brought to issue by committees of the house of commons since the passing of the Grenville act. The determinations were, in the three first, favourable to the corporation; but the latter decided the right to be in the bur-
gage-holders. This produced an occurrence that must convince more strongly than any hypothetical argument can inform the mind, that the present system of representation must remain incomplete until its innumerable imperfections are forced to yield to a radical reform. The Right Hon. Charles Jenkinson, and Charles Ambler, were returned by the corporation at the general election in 1785, and resolved, by a committee, on Monday, the 25th of April, 1785, to be duly elected. A vacancy happened in October, 1786, by Mr. Jenkinson being created a peer, when the Earl of Mornington was returned by the corporation in his room; and Mr. Lemon petitioned against the said return, on the right of the bur-
gage-holders. The committee appointed to try the merits of the petition met on the 25th of April, 1787, and, on the 6th of May following,
reported

reported to the house, that Mr. Lemon was duly elected. Thus two members were sitting in the House of Commons at the same time for the same borough, upon the right of a different description of electors, who had, each of them, been deemed ineligible in the same Parliament. But what is still more remarkable, and derogatory to all principles of constitutional consistency, is, that this error in the representation for Saltash should remain yet uncorrected. Indeed the right is still disputed, and is therefore to be ascertained. The committees have three several times seated the members chosen by the corporation, and once determined in favour of the person who had the suffrages of Mr. Buller's thirty-eight burgage-tenures; but neither of them are final. By the amended Grenville act, the parties have yet the chance of two more petitions on this question of elective right, which may probably be as opposite in their decisions to each other as those which have been already determined.

With regard to the influence over this borough, the present members were returned by the burgage-tenures of Mr. Buller. They had the good fortune to preserve their seats without incurring the expence of a petition. Should the
right

right be finally adjudged to be in these burghage tenants, the property, and consequently influence of the borough, will be transferred entirely from the corporation to Mr. Buller; but, on the contrary, should the corporation of Saltash gain the victory, the influence will then belong to the treasury.

This borough is involved in the same difficulties and obscurities as most of the other boroughs in the kingdom. Having destroyed that simple but general right of all tithings, which were originally boroughs, having a share in the legislature, succeeding charters have been made by succeeding kings, according to their separate views and interests, so as to have destroyed even the tenor and principle of each other. Endeavouring to limit a privilege that, by nature and justice, was and should be a common inheritance, has involved the municipal constitution of our boroughs in absurd perplexities, as well as exposed them to arbitrary encroachments. It was first chartered as a borough so early as Henry IV. by its Lord Reginald Valletort, who was lord of the house of Trematon, within which Saltash is situated. A second charter was granted by Richard II. a third

third by Elizabeth, in which were recited the two former; and two others, which were granted by Edward IV. and Henry VIII. : in these were granted the town with all its members and appurtenances, the ferry of the river, rents of assize, tolls, &c. and to be yielded to her heirs and successors, Dukes of Cornwall, for £.18 per annum, as a fee-farm rent : " And that there
 " should be in the same borough two burgesses
 " of the parliament; and the mayor and free
 " burgesses for the time being, as often as a parliament should be summoned, should have
 " power and authority to choose two discrete and
 " honest men to be burgesses of the parliament
 " for the same borough." This charter of Elizabeth was surrendered to Charles II. Jan. 1682-3, who, in consequence, granted another to them, dated Nov. 27, 1683, which entirely changed their constitution.

ANCIENT REPRESENTATION.—Although this town was chartered as a borough so early as Henry IV. it did not send members to parliament before Edward VI.

CORPORATION.—It was first incorporated by Charles II. who granted the inhabitants the privilege of being governed by a mayor, six aldermen,

men, and thirty-three burgesſes, although the number is now indefinite. Theſe may chooſe a recorder, and elect members of parliament. The manor of the borough is veſted in the corporation, who, upon the payment of £.18 annually, enjoy the tolls of the markets, fairs, &c. as above obſerved. A power was reſerved in the crown, as in all other charters, granted by this monarch, to diſplace at pleaſure any mayor, alderman, burgeſs, town-clerk, &c. This was the tenure by which the electors in theſe places held their franchise; ſo that, by this mode of incorporating moſt of the boroughs in the kingdom, Charles poſſeſſed himſelf entirely of the elective influence. He was certain of having none but his friends choſen by theſe dependent boroughs, whoſe inhabitants had no other ſecurity for their tenures but obeying the dictates of his pleaſure. It is, however, proper here to obſerve, that this arbitrary principle, which had ſubjected the freedom of election in all ſuch boroughs as were thus chartered by Charles II. to miniſterial influence, was, in a trial reſpecting Cheſter, decided about four years ſince to be nugatory. As, therefore, this city has thus emancipated itſelf from the fetters of court authority, it may be obſerved that
every

every other borough, in the same predicament, has the same means of redress.

On the 21st May, 1773, the members of the corporation, whose whole number at that time was less than twenty, petitioned his present majesty for a new charter: they stated the dissolution of the old charter, and their incapacity to continue it. A new charter was accordingly granted 7th June, 1774, in principle similar to that of Charles II. for it reserved the same power of displacing corporators at pleasure. The members named in this charter were most of them placemen in the dock-yard at Plymouth, or persons holding offices under government. Thus, by the creatures of corruption, the town of Saltash was again rivetted to a servile dependence on every administration for the time being. Unless the corporation choose members in favour of government, they are liable to lose their civil distinctions and national privileges. When sovereign authority dispenses a corporation-right on the conditions of servile dependence and obedience, to what source of political integrity is a people to look for the restoration of suspended privilege? when every avenue of freedom is thus closed by the bar of arbitrary dictation,

dictation, the people can have no hopes to see their government restored. They may be as loud in complaining as they have been patient in suffering, without having their grievances heard, or their oppressions even lamented; for, while they have been remonstrating against their loss of privilege, the fetters of their bondage have been more closely rivetting. Surely if any infringement of the constitution calls aloud for redress, it is that which corrupts and controuls the very source of privilege. It is in vain to guard against the venal practices of representation, when every member is thus liable to be the creature of a court, returned by the servile dependents of every intriguing and ambitious ministry. When boroughs are therefore chartered, and, by their own solicitations, on the condition of having the members of the corporation divested of elective independence, all security of freedom is lost; and nothing can possibly restore the constitution to its primitive integrity, but the unanimous sacrifice of all personal interest, whether of present possession, or future expectancy. Reform must not be sought, for the purpose of supplanting one party, in order to seat another; for the same principles of influence remaining,

remaining, rotten boroughs will again be obliged, on forfeiture of their offices, to choose venal representations, to support the same attacks on a nation's right in one ministry that have been reprobated as the practice of others. Ministers, whoever they may be, according to the present state of corrupt representation, have, as we have already mentioned, no security for their seats but the most venal arts of influence. They dare not depend on the integrity of their measures, lest others, as ambitious as themselves, should surprise them, ungarded by their broad shield of influence, and cast them headlong from their heights of power and preferment. It is therefore seen, that every minister, whatever may be his professions when in opposition, avails himself of all the patronage and variety of influence to secure himself against the attacks which he has before levied against his predecessors in office: for this purpose are boroughs chartered on the principle of Saltash; and thus is corrupt influence extended, not only in the petty jurisdiction of a town-hall or market-place, but even into every avenue, great or small, divine or human, where the passions or senses of man are to be rendered subservient to artful intrigue and sinister design.

The

The abuses therefore of representation must be in general reformed, before the people can possibly be free. No constitution can be restored by one set of men being in place, without it is the joint effort and inclination of the rest to aid them in the laudable design: no persons possessed of power can restore this country to liberty, unless the principles of that power are first purified from ambitious influence and venal corruption. While the source of oppression remains, every person possessed of power must be more than human to resist the temptation of exerting an arbitrary authority. History scarcely affords an instance of any set of men, in the meridian of luxury, venality, and influence, sacrificing their power to patriotism. Even the revolution of France was the general act of a nation; not the sacrifice of a few individuals. All ranks, degrees, and professions, united in the universal sacrifice of despotism, on the shrine of liberty: the soldier, lawyer, divine, statesman, and artizan, all conjoined in one unanimous effort to be free. Emancipation, was the universal sentiment which animated the breast of the nation, and thus broke the bonds of slavery. It was a deed that required the whole
strength

strength of a people to perform; and nothing short of the consolidated power of a nation could have effected the grand design.

RIGHT OF ELECTION—is in the burgage-tenures.

NUMBER OF VOTERS—38.

THE RETURNING OFFICER—the mayor.

PATRON OF THE BOROUGH—Mr. Buller.

ST. MICHAEL, OR MITCHELL.

This borough is so despicable a town, that it does not consist of above 30 thatched houses and one inn. It stands in the two parishes of Newlyn and St. Eneadore; which last is a valuable vicarage, in the gift of the bishop of Exon. It is one of the oldest boroughs by prescription in the county. It is governed by a portreve, chosen annually, by a jury of the chief inhabitants, out of the six principal tenants, who are called deputy lords of the manor, from possessing lands in the borough. These six lords are Sir Carew Vyvyan, Bart. Sir Francis Basset, Mr. Hugh Boscawen, Sir Thomas Carew, Mr. William Courtney, and Mr. Gully. The manor belonged to the Arundels of Llanhern: one of the ancestors

of this family procured for this place the privileges of a free borough, with a market and fair; both of which are now disused. In 30 Edw. I. this little town was called Modishole, from which it may have derived its present name.

ANCIENT REPRESENTATION.—It sent members to parliament 6 Edw. VI. in which return it is called Burgus et Villa Mychel, Mitchel, or Modishole. It is no where called St. Michael, until of a later date.

PATRONAGE.—This borough is now the joint property of Lord Viscount Falmouth and Sir Francis Basset, between whom a strong contest for superiority arose at the general election in 1784. At this contest, David Howell and Roger Wilbraham, esqrs. were candidates, on the interest of Sir Francis Basset; and Christopher Hawkins, esq. and Mr. Boscawen, on that of Lord Falmonth. The numbers on the poll were:

David Howell, esq.	27
Roger Wilbraham, esq.	21
Christopher Hawkins, esq.	21
Mr. Boscawen,	15

A committee was however chosen, on the 13th of June following, to try the merits of this double return,

return, which was made in consequence of the equality of numbers polled for Mr. Wilbraham and Mr. Hawkins. The counsel for the former strove very hard to invalidate the election of the latter on the plea of bribery committed by Mr. Curgenven, steward to lord Falmouth. It was stated, that Mr. Curgenven resided with Mr. Hawkins, in the house of one of his lordship's agents, during the election; and it was proved that they canvassed the borough together, and that Curgenven asked the vote of one of the witnesses for Mr. Hawkins in his presence, and jointly with him. The committee were however of an opinion, that the agency of Mr. Curgenven was not sufficiently proved, to admit this evidence of bribery being a plea to invalidate the election of Mr. Hawkins. Being therefore relieved from this accusation, his counsel proposed to strike off four votes from the poll of Wilbraham, which had been admitted by the returning-officer, and to add one to that of Hawkins, which had, by the same authority, been rejected.

Upon the evidence adduced in support of this proposition, the committee decided, that Mr. Hawkins was duly elected.

Since the above determination, Lord Falmouth

and

and Sir Francis Basset, whose interests are so much upon an equality, have avoided the cause of future contests, by each contenting himself with sending one member.

RIGHT OF ELECTION—has been variously determined. In the first case which appears upon the journals, the members were chosen by burghers; a name which does not, at present, exist in the borough. To this report, it is also added, "the inhabitants condescended;" which proves that the right being thus conceded by the inhabitants at large, in favour of the burghers, they originally possessed the privilege as it was anciently enjoyed by the inhabitants of every borough in the kingdom, before the right was exclusively granted to cities, towns, and boroughs, that were more immediately in the interest of royalty. The next case, which was in 1660, the members were chosen by two elizors, who were themselves chosen by the lord of the manor, and twenty-two of the freemen chosen by these two elizors.

The right of election was then disputed between them and the commonalty at large, which was decided by the house in favour of the former. Thus was the right of representation in-

this borough transferred from the people to the lord of the manor. Another contest did not arise for twenty-nine years afterwards. At this decision the rights of the people seemed to have been so little understood, that neither the lord of the manor, nor the commonalty, appear to have asserted the least claim to the privilege. The dispute at this contest in 1689, was between the inhabitants paying scot and lot, and the housekeepers at large. The determination of the house of commons respecting this borough, varied considerably, for on the 12th of December 1689, they determined the right of election to be in the lords of the borough, and the housekeepers not receiving alms; but on *March 20*, 1700, it was determined to be in the portreves, and lords of the manor capable of being portreves, and the inhabitants of the said borough paying scot and lot.

CONSTITUTION—of Mitchell, is that of a superior or high lord, and five mesne or deputy lords, who hold of him; the portreve, who presides in the borough, is one of the deputy lords, annually chosen to that office at the court-leet of the high lord. Although the words *freemen* and *commonalty* are used in the first resolution, yet Mitchell is not, nor ever has been, a corporation.

PATRONS—Lord Falmouth and Sir Francis Basset.

NUMBER OF VOTERS—42.

HELSTON.

This Borough has been the object of expensive litigation for some years. The contest here was between a corporation acting under a charter granted by Queen Elizabeth and confirmed by Charles the first, and another corporation acting under another charter granted by his present majesty. The right of election was the great object of contention. Each corporation asserted their claim to it, the new one supported by the late Lord Godolphin, and the remaining members of the old one under the support of the late Mr. York and the late Mr. Cust, two gentlemen for whom they tendered their votes at the general election in 1774. This question was brought before a committee of the House of Commons in 1775. The corporation acting under the new charter by Mr. Rogers, their mayor, returned the Marquis of Carmarthen and F. G. Owen, esq. The corporation acting under the old charter by Mr. Johns, their mayor, returned Philip Yorke, esq. and

Francis Cust, esq. The committee, after a most elaborate investigation,* determined *in favour of the old charter*, and that Mr. Yorke and Mr. Cust were duly elected.

At the last general election in 1790, the same contest was renewed, when the Rev. John Pasmore, mayor, under the new charter, made a return of Sir Gilbert Elliot and Sir Stephen Lushington; and Richard Penhall, who united in his own solitary person the whole corporation under the old charter, all the other members of that body being dead, conceived himself invested, under the last determination of the house, with the sole power of electing *two members* to represent the *people of England* in Parliament, returned James Bland Burges, esq. the under Secretary of State, and Charles Abbot, esq. This double return was brought to a hearing before a committee immediately upon the meeting of the new Parliament, who decided (contrary to the former committee) in favour of the corporation acting under the *new charter*, by which decision Mr. Burges and Mr. Abbot lost their seats, and Mr. Penhall the corporate right at least for the present Parlia-

* See Douglas's Reports.

ment,

ment, of having two members to represent his individual person in the British House of Commons.

The Duke of Leeds who succeeded to the estate of the late Lord Godolphin, *was* the Patron of the new corporation, by whom he had been returned to Parliament when Marquis of Camarthen in 1774, but conceiving by the decision of the first committee that the right was in Penhall only, and that the new corporation would never be able to establish their right to the election of members for this Borough, his grace abandoned his old friends and paid his court to Mr. Penhall, who returned Mr. Burges, and Mr. Abbot under his Grace's patronage, but having this time been as unsuccessful with the old charter as he was before with the new one, it is said that a reconciliation has taken place with the latter, and that the members will in future be returned by them under this noble influence without any further opposition from Mr. Penhall.

RIGHT OF ELECTION—in the corporation.

NUMBER OF VOTERS—36.

RETURNING OFFICER—The mayor.

PATRON—Duke of Leeds.

ST. IVES.

ANCIENT STATE.—The manor anciently belonged to the Ferrers family, from whom it came by marriage by the Champernoons; and from them, in the same manner, to Sir Robert Willoughby, Baron de Broke, whose co-heiresses marrying Blunt, Lord Mountjoy, and Mr. Powlett, ancestor to the present Duke of Bolton, it came, on a division of the estate, to the latter nobleman.

ANCIENT REPRESENTATION.—This borough first sent members to parliament in the reign of Queen Mary.

CORPORATION.—The town was incorporated by Charles I. and is governed by a mayor, recorder, and twelve capital burgesses, with twenty-four inferior burgesses, and a town-clerk; of whom the mayor, while in his office, and a year after, as well as the recorder and senior burgesses, are always justices of the peace.

RIGHT OF ELECTION—is in the inhabitants of the said borough, paying scot and lot.

CASE OF BRIBERY.

On the 27th of April, 1775, a committee being met, two petitions were read, stating that, during the time of canvassing and at the election, the two
fitting

sitting members, and Mr. Praed's father, by themselves and their agents, gave and lent several large sums of money to several of the electors, in order to corrupt and cause them to vote for the said two sitting members; that they were guilty of other modes of bribery; that the returning officer had acted partially, by admitting voters who had no right, and rejecting others who had; and that, by these and other undue means, the sitting members had been chosen and returned.

The resolution of the house, respecting the right of election, was then read, and the following numbers of the poll were produced by the town-clerk :

For Praed ————— 95

For Drummond ————— 78

For Stephens, the petitioner ————— 71

The evidence proved, that the sums of money advanced by Mr. Praed the father, to the voters, on their notes, payable with interest at the bank of Truro, were only colourable loans; that the voters received the money on condition that they should vote for his son and a friend; and that they were caused to understand that, on this compliance, the payment of their notes would never be demanded; and that Mr. Praed, sen. was considered as the agent for both his son and

Mr. Drummond. The petition therefore concluded, that these latter gentlemen were incapable of sitting for the said borough.

Evidence was likewise brought to prove, that so many of the voters for the sitting members had been bribed, that the petitioners would be found to have evidently the majority of legal votes. It was likewise stated, that Mr. Stephens ought to have had 40 more votes, of which he was unjustly deprived, by this number of voters in his interest not being rated, although they had rateable property. But to this evidence being given, the counsel for the sitting members objected; for they offered to prove that all the persons rated for St. Ives, during the last five years, were so on the last occasion of making the rate, except two, who had been struck off in consequence of their own application, stating the narrowness of their circumstances, and begging to be relieved from the land and window tax; that none of these 40 persons, except two, had appealed against the rate of January, 1774; and that, on their appeal, the rate was confirmed; that the determination in the case of Milborne Port, which had been quoted by Mr. Stephens's counsel, was, that when a man has been *de facto* rated, and is possessed of rateable property, and
has

has paid the rate, such person is within the description of one paying scot and lot, although the overseers may have been illegally appointed. But it never had been pretended before, that men, circumstanced as those proposed to be added to the poll, could vote as scot and lot men; nor could it be imagined that the committee would transform themselves into the overseers of the poor, and make a new rate for the borough of St. Ives. This power was vested, and so discretionary, in the parish officers, that even the Court of King's Bench would not attempt to controul it, unless on the plea of gross misconduct and partiality.

COUNSEL FOR THE PETITIONERS,

Answered, that it could be proved some of the persons in question had applied to be rated, and had been refused, and therefore they had acquiesced in this conduct of the overseers. And as it could also be proved that the four justices who appointed the overseers were in the interest of the Praeds, they did not appeal, from being convinced they would have obtained no redress. It was likewise stated, that the sitting member himself was one of the four justices; and that the appeal which had been brought by the two was only colourable from these persons being the
partisans

partisans of Mr. Praed, and the appeal being only made as an advantage to be taken on the present occasion.

The committee, asking if it was meant to prove any misconduct or criminal partiality in the overseers, were answered in the negative. The chairman then declared they were of opinion,

"That persons, though possessed of rateable property, if they have not been rated, and cannot prove misconduct in the overseers in not rating them, are not entitled to vote."

COUNSEL FOR THE SITTING MEMBERS,

Brought witnesses to prove, that the petitioner himself had endeavoured to gain his election by giving or promising money to the voters.

In the course of the evidence one Wallis proved, that one Noell said, in the presence and hearing of Mr. Praed's father, that Mr. Praed knew that he (Noell) could not take the bribery-oath, which was not contradicted by Praed.

This question was objected to.

It was said to be an established rule, that no evidence shall be admitted upon oath of what a man said when he was not upon oath. To break this rule, would be attended with the worst consequences;
for

for many men, who would not take a false oath, might be drawn to say things that are false in conversation, in the presence of a person placed on purpose within hearing, in order to relate afterwards, upon oath, what the other had said.

This rule was admitted by the counsel for the petitioners; but they, at the same time, said it did not apply to the evidence then offered; for that the witness meant to prove a declaration of Noell, and a charge brought by him against Praed, and which was not contradicted by Praed, although declared in his hearing: it had therefore every appearance of truth. This kind of evidence was consequently taken in every court of justice.

The committee over-ruled the objection.

May 8, 1775, the committee, by their chairman, informed the house that they had determined,

“ That Mr. Drummond was duly elected; and
“ that the election of one of the burgeses to serve
“ in parliament for the borough of St. Ives was
“ void.”

And accordingly a new writ was ordered.

NUMBER OF VOTERS—were, according to
Willis,

Willis, 150; but they have since decreased to 120.

RETURNING OFFICER—the mayor.

PATRON—William Praed, Esq.

TREGONY.

POLITICAL CHARACTER.—This is an inconsiderable village, without trade, commerce, or manufactory. The elective influence was some time contested between Lord Falmouth and Sir Francis Basset, as were the boroughs of Mitchell and Truro; but the parties having agreed to send one member each for the former, Lord Falmouth, who was lord of great part of the soil in this borough, sold his property, and with it transferred his interest to Sir Francis Basset, conditionally that Sir Francis should withdraw his opposition, and transfer his interest at Truro to his lordship. Matters being thus satisfactorily arranged, Sir Francis disposed of the whole to Mr. Barwell, the nabob, who is now the sole proprietor of the borough.

ANCIENT REPRESENTATION.—Although this town is now so insignificant, it was formerly of some consequence; for it made two returns to parliament so early as 23 and 25 of Edward I.

Form

From this time Tregony was not represented until the first year of Elizabeth, when it returned two members, and has continued to do so ever since.

CORPORATION.---In 30 Edward I. Henry de Pomeroy, then lord of the town, certified his right to a market, fair, and other privileges; which were allowed. In 19 James I. it was by charter incorporated. It is now governed by a mayor, seven capital burgesses, and a recorder.

RIGHT OF ELECTION---is in all the householders who boil the pot, or, in other words, provide for themselves, whether they live under the same roof or not. (March, 1695.)

THE NUMBER OF VOTERS were fluctuating when Lord Falmouth and Sir Francis were in opposition; for then every poor wretch who belonged to the parish was sought, and caused to boil a pot in the borough, in order to qualify them as voters. By this means 150 were brought to poll at the general election in 1784; but since Mr. Barwell has possessed the sole influence, and opposition is at an end, the number diminished to 100, which are now decreasing by degrees.

RETURNING OFFICERS---are the mayor and portreve.

PROPRIETOR---Richard Barwell, Esq.

TRURO.

TRURO.

POLITICAL CHARACTER.—The influence in this borough was, for some years, warmly contested between Lord Falmouth and Sir Francis Basset: the latter gained the victory by one vote, in 1780; and the former, by the same majority, in 1784; but, in consequence of their agreement respecting Tregony, Sir Francis discontinued his opposition in this borough; and it is now understood to be entirely at the devotion of his lordship.

ANCIENT CONSEQUENCE AND REPRESENTATION.—Truro is one of the most considerable towns in Cornwall. The quarter-sessions for the Eastern division of the county being held here, bring a resort of company. Its great antiquity appears from its being called Truergeu, in doomsday-book, and having had a fair and market so long since as 30 Edward I. and, from that period, it has regularly sent members to parliament.

CORPORATION.—Truro was first incorporated in the reign of John, and afterwards by Elizabeth. It is now governed by a mayor, four aldermen, twenty capital burgesses, and a recorder.

The

The mayor has great privileges: he claims being also mayor of Falmouth, the port-dues of which belong to this corporation. On the election of a mayor, the town-mace must, by custom, be delivered to the lord of the manor, until sixpence is paid for every house in the town, consisting of 400, as an acknowledgement.

RIGHT OF ELECTION---In 1660*, this question was stated :---“ Whether the mayor, and four and “ twenty, or all the freemen of this borough, have “ the right to elect.” The house decided in favour of the select number. The dispute being revived in the year following, received the same determination†. In 1689 the same dispute arose, and was stated in the journals ‡:---the question was, “ Whether the right of election was in the “ *populace* or select number.” The house decided that the word *populace* meant the greater body of the freemen, in contradistinction to the select number. Their decision however was, like the others, in favour of the select number.

NUMBER OF VOTERS---25.

RETURNING OFFICER---the mayor.

PATRON OF THE BOROUGH---Lord Falmouth.

PEN-

* 3 Journal, 69. † Ibid. 30. ‡ 10 Vol. p. 141.

PENRYN.

This borough is a manor belonging to the See of Exeter, of which it is held by the corporation, who pay the bishop a quit-rent for the toll of the markets and fairs ; we presume no very large sum, as the borough consists but of one indifferent street, composed of less than two hundred houses. The property belongs to Sir Francis Basset, the Duke of Leeds, the Earl of Mount Edgcombe, and Mr. Trefusis. The present members were elected under the influence of the two former, but we understand that an agreement has taken place between Sir Francis Basset, who owns the largest property in this borough, and the Duke of Leeds, who has hitherto possessed the patronage of the borough of Hellstone, not to oppose each other in their respective interests; in consequence of which, Sir Francis Basset may be in future considered as the sole patron of this borough.

The mode of election here was somewhat curious, and seems well adapted to suit Mr. Burke in his next panegyric on the state of our representation. The steward of the lord of the manor sent his mandate to the mayor or portreeve, to return two elizors, or chief men of the borough,

orough, who were to choose twenty-two more, to make up a jury to try all offences, *and elect the members*; this is actually the constitution of this borough, and though the householders claim the right of election, we understand it will be disputed if they presume to resist the nomination of their Patron.

CORPORATION.—It was not incorporated until 18 James I. who appointed it to be governed by one mayor, eight aldermen, twelve common-councilmen, a recorder, a steward, and other inferior officers. It is now, however, governed by a mayor, four aldermen, and a town-clerk.

RIGHT OF ELECTION.—At present assumed by the mayor, portreve, aldermen, and inhabitants at large who pay scot and lot.

NUMBER OF VOTERS.—are about 140.

RETURNING OFFICER.—the mayor.

PATRONS.—Sir Francis Basset, and the Duke of Leeds.

FOWEY.

POLITICAL CHARACTER.—It is one of the feudal tenures belonging to the Prince of Wales, as Duke of Cornwall. The influence is in the Earl of Mount Edgcumbe, and Philip Rashleigh, esq. who are under the necessity of uniting

VOL. I.

H

their

their interests in order to carry their point. A very powerful and expensive opposition was made to their joint interest at the last general election by Lord Shulldham and Sir Ralph Payne, who were supposed to have the good wishes of the Prince himself; but, after several law-suits on abstract points, it was finally determined, by a committee of the house of commons, the last session, in favour of lord Valletort, son to the Earl of Mount Edgumbe, and Philip Raleigh, esq.

A number of surreptitious votes were polled at the last election. The parties each set up a returning officer, who admitted all the votes tendered in favour of their principals respectively; but the committee reduced the number to 63, and reported specially to the house, under the authority of the amended Grenville act, on the 7th of March, 1791,

“ That the portreve of the borough of Fowey
 “ is the returning officer for the said borough;
 “ and that it is necessary that such returning
 “ officer should be chosen or presented by a ho-
 “ mage-jury of princes tenants, duly admitted
 “ on the court-rolls of the manor of the said
 “ borough; and that princes tenants admitted by
 5 the

" the steward, or deputy steward, at the court
 " holden at the said manor, are duly admitted;
 " and that the presentment of the homage is not
 " necessary to such admission."*

A second committee have since determined, March 21, 1792, upon an appeal against the former decision—That the persons entitled to elect the portreeve of the borough of Fowey are those who are capable of holding that office, that is, such princes tenants only as have been duly admitted on the court rolls of the manor of the said borough, and have done their fealty, and such persons only are duly admitted whose lands, being freehold, were anciently, and continue to be, held immediately of the Duke of Cornwall as parcel of his said manor of the said borough, and whose titles to those lands have been presented at a court baron by a sworn homage or jury of the freeholders of the said manor.

ANCIENT

* The ancient presentment of homage is, according to Lyttelton, the *most honourable* and *most humble* service of reverence that a free tenant can make to his lord; for, when the tenant shall do homage, he shall come ungirted, and his head uncovered, while his lord is sitting; and the tenant shall kneel before him on both his knees, and hold his hands jointly together, between those

ANCIENT REPRESENTATION.—It is not determined when this town was made a borough; but it is well known, that it returned no members until 13 Eliz. But in the time of Edward III. Fowey and East Looe, sent a merchant to a council at Westminster, to consult on Sea affairs. The last-mentioned prince also gave the town the privilege of being a member of the cinque ports, for affording assistance to certain ships in distress, belonging to Rye.

CORPORATION.—Fowey is governed by a mayor, eight aldermen, a recorder, and two assistants. The mayor, while in office, and the next year, with the seven aldermen, are always justices of the peace.

RIGHT OF ELECTION.—May 5, 1701. *Resolved* (by the Committee)—Thatt he right of electing burgeses to serve in parliament

for those of his lord, and thus shall say—"I become your man, from this day forward, of life, and member, and of earthly worship; and unto you I shall be faithful and loyal, and owe you faith for the tenements I claim to hold, saving the faith I owe to my king." And then the lord, so fitting, shall kiss him.

Remark.—How low was the natural dignity of man reduced by this abject submission, caused by the feudal system! But how must the mind of the subject have been debased, when such servility could have been deemed the most honourable service that a freeman could pay to his lord!

for the borough of Fowey, in the county of Cornwall, is in the prince's tenants,* who are capable of being portreves of the said borough, and in such inhabitants of the said borough only as pay scot and lot.

[*It does not appear, by the printed votes, that the house agreed to this resolution.*]

RIGHT OF ELECTION, is understood to be in all the inhabitants paying scot and lot.

NUMBER OF VOTERS---63.

RETURNING OFFICER---The portreve, chosen by a jury of the Prince's tenants.

PATRONS---Earl of Mount Edgumbe, and P. Rashleigh, esq.

BOSSINEY, *alias* TINTAGEL.

POLITICAL CHARACTER.---The burgeses or freemen are the electors in this borough. Mr. Crewe's bill disqualified all the eleven voters, who happened to be then revenue-officers, except one, who, being of such singular importance as actually to have sent a member for this town to parliament in 1784, demands that his name

H 3

i should

* Prince's tenants were defined on the 5th of March, 1701, to be such only as have been duly admitted upon the court-rolls of the manor, and have done their fealty.

should be known to have been *Arthur Wade*. Three or four more have been since added to assist this solitary elective individual in the arduous task of member-making. These were added under the direction of the Earl of Bute and the Earl of Mount Edgcumbe, who possess the patronage of this borough. It is not however certain that the interest of these noblemen is secure. Certain individuals, claiming a right to be admitted to the franchise of boroughmen or freemen, under the charter, sometimes threaten an opposition: and the late amendment to the Grenville act, which opened a new avenue to the investigation of borough-right, may induce some parliamentary adventurer to risk a trial upon this claim.

ANCIENT REPRESENTATION.—This town never sent to parliament until the 7th Edw. VI. It was made a borough by Richard Earl of Cornwall, the brother of Henry III. Although it has a titular mayor and burgeses, it was never incorporated.

RIGHT OF ELECTION.—All who have free land in the borough, and live in the parish, are deemed freemen, and have votes at the elections of members and magistrates.

NUMBER

NUMBER OF VOTERS.—As this is a mere hamlet of only about 20 houses, in the parish of Tintagel, the number of voters have seldom reached to the number of dwellings. At this present time, they are said to be not above four or five.

RETURNING OFFICER.—The mayor.

PROPRIETORS.—Earl of Mount Edgcumbe and the Countess Dowager of Bute.

LESTWITHIEL.

POLITICAL CHARACTER.—The mode of election in this borough is such as dupes the electors out of privileges with which their representative charter affects to invest them; for the seventeen common-council, who have a right of voting, being annually chosen by the seven aldermen, are sure to be such as will conform to the dictates of those by whom they are appointed: thus, limiting the right of this election in this manner, seems as if it were done to excite the contempt of the electors themselves against their own franchises. To be vested with power without a will, is as great an insult to the understanding, as it is an injury to the interests of mankind: nothing can more effectually tend to induce the people to
H 4 abandon

abandon even their claims to the first privileges of nature and society, with disgust. The king to appoint seven men, who were to nominate seventeen others, to choose two representatives of the people; or the lord of the manor to appoint two elizors, who were to nominate twenty-two others, to exercise the same powers; is such a burlesque on representation, as seems only intended to laugh mankind out of rights they might otherwise too seriously endeavour to claim.

This is the county town, and possesses a population, which, like Launceston, Bodmyn, and Lestkard, would rescue them from the appellation of Bolton boroughs, if the right of election was not confined to their respective corporations, whose limited number will always expose them to corruption, and subject them to influence and controul.

ANCIENT REPRESENTATION.—This town was of such consequence as to have been the residence of the dukes of Cornwall, after their removal from Restormel castle. This place sent first to parliament, A. 33 Edw. I. and then discontinued until 4 Edw. II.

CORPORATION.—It was first incorporated by Richard Earl of Cornwall, when he was king of the

the Romans; and is now governed by a mayor, six capital burgeses, and seventeen common-councilmen.

RIGHT OF ELECTION.---Dec. 20, 1769, *Resolved*, That the right of electing burgeses to serve in parliament for the borough of Lestwithiel, in the county of Cornwall, is in the mayor and six capital burgeses, together with seventeen assistants annually chosen, and who had a right to vote at the preceding election of a mayor.

NUMBER OF VOTERS.---24.

RETURNING OFFICER.---the mayor.

PATRON.---Earl of Mount Edgcumbe.

ST. MAWES.

POLITICAL CHARACTER.---The influence of this borough was in the late Lord Nugent, and Hugh Boscawen, esq. But the Marquis of Buckingham succeeding to the estate and patronage of Earl Nugent, has since had the address to possess himself of that of Mr. Boscawen's likewise.

ANCIENT REPRESENTATION.---This place, which is only a hamlet, consisting of a few houses, chiefly inhabited by fishermen, sent members

until 5 Eliz. The portreve is the chief magistrate.

CORPORATION—None.

RIGHT OF ELECTION—is in the portreve, who is the chief magistrate, and is complimented with the title of mayor, and the burgesses resident in the place.

NUMBER OF VOTERS—were twenty-two, but sixteen of them having obtained revenue offices under government, the number is reduced to six.

RETURNING OFFICER—the portreve.

PROPRIETOR—Marquis of Buckingham.

CAMELFORD.

POLITICAL CHARACTER.—This is a corporation-borough. Sir Jonathan Philips is the leader or patron. The Duke of Bedford has also some pretensions (to family interest) in this borough, but the reverend patron contrives, with the assistance of government, whose *good things* in this place and neighbourhood are only to be acquired through the medium of his interest, to have the members of his recommendation returned.

ANCIENT REPRESENTATION.—This borough began

began to send members to parliament in the reign of Edward VI. and this liberty was confirmed by Mary.

CORPORATION.—Although this is a poor place (not containing more than a hundred houses, badly built) yet it is an ancient borough; for it was so made by a charter from Richard Duke of Cornwall, when he was king of the Romans, who granted them a market and a fair. These privileges were afterwards confirmed by his brother, Henry III. It was incorporated by Charles I. and is governed by a mayor and eight burgeses or aldermen. The corporation enjoys the toll of the markets and fairs, which, with an estate of £.15 per annum, afford £.80 for the support of the magistrates.

RIGHT OF ELECTION, Willis states, is in the mayor, eight capital burgeses, and ten freemen; but, according to Simeon, it is in the freemen and inhabitants paying scot and lot. (3 Aug. 1660.)

NUMBER OF VOTERS—19.

RETURNING OFFICER—the mayor.

PATRON—Sir Jonathan hilips.

CAL-

CALLINGTON.

This borough was the property of the late Earl of Orford, at whose decease it descended, with half of the borough of Ashburton, and the Cornish and Devonshire estates of that nobleman, to Mr. Trefusis, now presumed to be Lord Say and Clinton. The right of election is in sixty-two burgage-tenures, the major of which belong to Mr. Trefusis, alias Lord Say and Clinton, and the remainder to Mr. Buller, and Mr. Coryton.

ANCIENT REPRESENTATION.—This was the last town in Cornwall that was admitted to the right of sending members to parliament; it returned no representatives until 27 Eliz. 1585.

CORPORATION—None; a portreve is chosen at the court-leet of the lord of the manor, who is returning officer.

RIGHT OF ELECTION—is indefinite. The custom, at present, limits it to burgage-tenures paying scot and lot, or, as it is explained, in the freeholders and beneficial leaseholders, being rated; but the right of the freeholders is doubted, and that of the inhabitants paying scot and lot presumed to be good.

NUMBER OF VOTERS—19.

PROPRIETOR. Mr. Trefusis.

EAST

EAST LOOE.

POLITICAL CHARACTER.—This is another of those boroughs which exercise their elective privileges, not at the free will of its inhabitants, but at the dictates of personal influence.

This place and West Looe are but one small town or rather village, divided into two boroughs under different names. The injustice of such a despicable hamlet sending four members to parliament while the most populous manufacturing towns in the country are unrepresented, is too glaring to need any comment.

ANCIENT REPRESENTATION.—Although this is an ancient borough, it was not admitted to a share of the legislature, if it may be so called, before 13 Eliz. But the inhabitants, in conjunction with Fowey, sent once before a merchant to a council of trade at Westminster.

CORPORATION.—This insignificant village was first incorporated by Queen Elizabeth, A. D. 1587. The corporation consists of nine burgeses, one of whom is annually chosen a mayor; and they have jointly the power of electing a recorder. The corporation

ration has the toll of the market, and holds the manor of the town from the duchy of Lancaster, at a fee-farm rent of 20s. per annum.

RIGHT OF ELECTION—is in the mayor, burgesſes, and freemen.

NUMBER OF VOTERS—is about 30.

RETURNING OFFICER—the mayor.

PROPRIETOR. Mr. J. Buller, who is a proprietor of the borough.

WEST LOOE.

POLITICAL CHARACTER.—This is, like the above, a dependent borough. It is under the influence of Mr. J. Buller, couſin to the former, and ſon to the late John Buller, eſq. one of the lords of the treaſury: but this gentleman being at preſent in the Eaſt Indies, the influence is under the direction of the Rev. Dr. Buller, Biſhop of Exeter.

ANCIENT REPRESENTATION.—This town is not of any great antiquity: it firſt ſent members to parliament 6 Edward VI.

CORPORATION.—Weſt Looe, which is ſeparated from Eaſt Looe, by a ſtone bridge of 15 arches, over the river Looe, was incorporated by Queen Elizabeth. It is governed by a mayor and 12 capital burgeſſes. The manor of the town belongs to the

the crown, and was by Henry VIII. annexed to the duchy; of which it is now held by the corporation, at the yearly rent of 24*l*. It is observed that East and West Looe, are so singular as to be the only two boroughs in the kingdom that are governed by the same municipal system. This ascertains, in part, the justice of the Marquis of Lansdown's remark,—That the boroughs, according to their present establishment, are no part of the constitution, but the mere children of intrigue, which brought them into existence. Those who brought them into their present wretched state of parliamentary existence, have not even condescended to ascertain their pretended exclusive rights, limit their powers, or establish them on any rational or consistent system: on the contrary, their pretended rights are so vague, indefinite, and contradictory, that they are, and will be, the subjects of continual litigation, until the cause of contest is removed, by an entire restoration of constitutional privilege,

RIGHT OF ELECTION—Is, like East Looe, in the mayor, 12 capital burgeses, and freemen.

NUMBER OF VOTERS.—The number was 60; but they are now reduced to 50.

RETURNING OFFICER—the mayor.

PROPRIETOR—Mr. J. Buller.

LAUN-

LAUNCESTON.

POLITICAL CHARACTER.—The inhabitants of this town have the peculiar privilege, if it may be so called, of having the corporation selected from among themselves; but, as they have no voice in electing them, and as a corporator may become an inhabitant for the purpose of being invested with this franchise, and cease to be one the moment he is admitted into the corporation, it can only be considered as a form without an essence. This borough is subject to the influence of the Duke of Northumberland, under whose direction every member of the corporation is admitted, and upon whose patronage they are all dependent.

The Assizes are held alternately at this town and at Bodmyn.

ANCIENT REPRESENTATION.—This borough sent to parliament ever since 23 Edward I. It had a mayor in the time of Edward IV.

CORPORATION.—It was incorporated by Mary anno 1555, according to its present establishment; which consists of a mayor, recorder, and eight aldermen.

RIGHT

RIGHT OF ELECTION.—March 1723. *Resolved*, That the right of election of the borough of *Dunbeved*, alias *Launceston*, in the county of *Cornwall*, is in the mayor, aldermen, and freemen, being inhabitants at the time they were made free, and not receiving pay of the parish.

March 24, 1734. 2. *Resolved*, That the aldermen of the borough of *Dunbeved*, alias *Launceston*, in the county of *Cornwall*, ought to be elected out of the legal freedom of the said borough only.

NUMBER OF VOTERS—20.

RETURNING OFFICE—the mayor.

PATRON—Duke of Northumberland.

POLITICAL ANECDOTE.—George Rose, secretary to the treasury, being, in 1788, obliged to vacate his seat for this town, in consequence of his being appointed clerk to the house of peers, was refused his re-election.

NEWPORT.

This borough is in fact a small part of the town of Launceston, but not within the limits of that corporation, being separated by a river. The

right of voting here is different to Launceston, it being there confined to the corporation of twenty-four, and at this place to the proprietors of burgage-tenure.

THE RETURNING OFFICERS are two vianders, appointed by the steward of the lord of the manor at his court leet. The Duke of Northumberland is lord of the manor, and owns the greatest part of the borough; the remainder of it is the property of the Duke of Bedford and Sir Jonathan Phillips. This place, under the names of Newport and Launceston, sends as many members to parliament as the city of London. Like East and West Looe, in this county, Weymouth and Melcombe Regis in Dorsetshire, Aldborough and Boroughbridge, in Yorkshire, and Bramber and Steyning, in Suffex, they are only different names for the same places, split into two boroughs each, to answer the corrupt purposes of the times they were created to serve.

GRAMPOUND.

This borough is part of the manor of Tybestre, belonging to the Duchy of Cornwall, of which the corporation holds its charter on paying a fee farm
rent

rent of 12l. 11s. 4d. per annum. It is, in the true sense of the word, a Cornish borough, where the electors, who are about fifty in number, dispose of their suffrages as they are directed by their patron, without having the least knowledge of the representative they send to parliament, his character, qualification, or is his name even communicated to these constituents, till the curtain is drawn up for the attorney to perform the farce of the election.

This borough was formerly under the management and direction of Lord Mount Edgcumb, but a dispute arising between his lordship's steward and the voters, respecting the payment of gratuities *before* or *after* an election, the latter not thinking it safe to give credit, went in a body and offered the command of the borough to Lord Eliot, who continues to be their political dictator at the present moment.

Most of the electors are amply provided for in the dock-yard at Plymouth, which, together with all the Custom Houses in Cornwall, is supplied with officers from these immaculate boroughs.

ANCIENT REPRESENTATION.—It was made a borough in the reign of Edward III. but sent no members of parliament until the reign of Edward IV.

CORPORATION.—This being an ancient manor, belonging to the duchy, was by a charter of Edward III. endowed with the privileges of a market, fairs, and exemption from tolls throughout the county: these privileges the burgesses still hold in fee-farm, at the rent of 12l. 11s. 4d. per annum. The above charter was confirmed by Henry VIII. The town is governed by a mayor, eight aldermen, a recorder, and a town-clerk.

RIGHT OF ELECTION—is in the mayor, recorder, aldermen, and inhabitants paying scot and lot.

NUMBER OF VOTERS—59.

RETURNING OFFICER—the mayor.

PATRON—Lord Eliot.

ST. GERMAIN'S:

POLITICAL CHARACTER.—The parish of St. Germain's is the largest in the county, it being above 20 miles in compass, and contains more gentlemen's seats and lordships than any other in the kingdom. The town, while it was the residence of the bishops, was very considerable: it is now, however, a mean place, consisting only of about 50 or 60 fishermen's huts, placed near the church.

church. It has however a free school, endowed by the Eliot family, who possess the elective patronage in this borough, as well as in Grampound and Liskeard.

ANCIENT REPRESENTATION.—The first return of members to parliament for this place was 5 Elizabeth.

CORPORATION.—None. There is however, a portreve elected annually at the lord's court-leet. This portreve is also bailiff of the borough, and may make any house in it the prison of the person he arrests.

RIGHT OF ELECTION.—The members are chosen by the householders who have lived a year within the borough; which contains only the huts above mentioned, the rest of the parish being excluded.

NUMBER OF VOTERS—20.

RETURNING OFFICER—the portreve.

PROPRIETOR—Lord Eliot, whose family purchased port Eliot from Mr. Champernoun.

LISKARD, OR LESKARD.

POLITICAL CHARACTER—This borough is one of the largest towns in Cornwall; and the market is

one of the most considerable in the county. It is calculated to contain 1000 houses. The right of election is however confined to a mayor, eight capital burgeses, and fifteen assistants, together with as many freeman as these twenty four corporators may think proper to create. The number of this last description seldom exceeds thirty, who are selected from amongst the friends of Lord Eliot in different parts of the county; very few of them are taken from the inhabitants of the town, though it exceeds in population and size any other in Cornwall.

ANCIENT REPRESENTATION.—Liskard sent to parliament 23 Edward I.

CORPORATION.—This town was incorporated July 6, 1580, 29 Elizabeth; and the government consists of a mayor, recorder, eight capital burgeses, and 15 assistants.

RIGHT OF ELECTION.—The members of parliament are chosen by the corporation and freemen.

NUMBER OF VOTERS.—50.

RETURNING OFFICER.—the mayor.

PATRON.—Lord Eliot.

ANCIENT REPRESENTATION.—This town first returned members in Edw. VI. last parliament.

RIGHT

RIGHT OF ELECTION.—In two vianders, and sixty burgage tenements.

NUMBER OF VOTERS—60.

RETURNING OFFICER—two vianders.

PROPRIETOR—Duke of Northumberland.

BODMIN.

THE RIGHT OF ELECTION in this Town, being confined to a corporation of thirty six, it is, like all the other corporations in this county, under the controul of a superior influence. Sir John Morshead, Bart. and George Hunt, Esq. have the command of this select body of constituents, who are generally represented by those gentlemen or their relations. The assizes for the county is held here alternately with Launceston; the town is much decreased from its former dimensions and population, and consists now of no more than one street.

PATRONS.—Sir John Morshead, Bart. and George Hunt, Esq.

ANCIENT REPRESENTATION.—It was made a borough *tempore Hen. II.* and has sent members *ab origine.*

CORPORATION.—This town was anciently governed by a mayor and 36 burgessees; but at present by a mayor, 12 aldermen, 24 common-council,

council, and a town-clerk. Its privileges were confirmed by James, who incorporated it in the 15th of his reign.

RIGHT OF ELECTION—is in the majority of the corporation.

NUMBER OF VOTERS—36.

RETURNING OFFICER—the mayor.

CUMBERLAND.

POLITICAL CHARACTER.

THIS county is completely aristocratic. An election contest, which is said to have cost £.100,000, happened in 1768, between the interests of the Duke of Portland and those of the Earl of Lonsdale, in which the former was successful. To prevent expences, these noblemen have agreed to send each one member.—Sir Henry Fletcher represents the Duke of Portland, and Mr. Senhouse Lord Lonsdale.

Cumberland contains one city, fourteen market towns, and fifty eight parishes, and sends six members to parliament.

CARLISLE.

CHARTERS.—Almost every king of England, from William I. until James I. bestowed some privilege

privilege on this ancient city. Richard I. granted the burgesses their liberties for the annual payment of ten marks: Henry III. granted them a coroner for the like sum. Edward II. beside exempting them from toll, allowed them several immunities, on a fee-farm rent of £.80 per annum; and, by some subsequent charters, they were excused from this feudal burthen. All the above liberties, with a manor, are possessed by the corporation, consisting of a mayor, recorder, eleven aldermen, two sheriffs or bailiffs, and twenty-four citizens or common-councilmen.

RIGHT OF ELECTION.—There was no determination in parliament upon the right of election at Carlisle, previous to the late important decision of the committee, under the amendment of the Grenville act, on the third day of March last. In the only material contest mentioned in the journals in 1712, it was agreed to be in the mayor, aldermen, bailiffs, and freemen, resident or non-resident.

CORPORATION.—Notwithstanding the former charters, the corporation is now deemed prescriptive. Its present form is derived from a charter of Charles I. in the year 1637, consisting of

of a mayor and eleven other aldermen, two bailiffs, and twenty-four capital burgessees, forming the common-council; and an indefinite number of freemen. The capital burgessees are chosen by the aldermen out of the freemen. There are likewise in the corporation eight trading companies or guilds, whose privileges are prescriptive; namely, the merchants, tanners, skinners, butchers, taylors, weavers, shoemakers, and smiths. Persons born the sons of freemen, or having served a regular apprenticeship to freemen, and having been admitted to the brotherhood of any of these guilds, are entitled to the freedom of the city, and the privilege of voting for the members of parliament.

POLITICAL CHARACTER.—The number of electors in this city are six hundred and fifty. The corporation, and about a hundred and thirty of the freemen dependent on them, are in the interest of the Earl of Lonsdale: but the majority, forming a body of near five hundred, are in the interest of the Duke of Norfolk, and the independence of the city. The influence acquired by his Grace in this instance is not that of a feudal lord, or an arbitrary land-owner, who derives his consequence from a court-baron, or his possessions

sessions in the neighbourhood of Carlisle; but from a firm and manly opposition to a most unconstitutional and desperate attempt to overturn the rights of election within this city, and to overwhelm the electors with an army of what are called honorary freemen, or faggots, in order to outnumber the legal electors on a poll. No less than fourteen hundred of this description, mostly selected from the collieries and estates of Lord Londale, were admitted by the mayor to their freedom, without any one of them having either the claim of birth or servitude to sanction their right, or having obtained admission to the brotherhood of either of the guilds, as the charter and prescription of the city directs.

These surreptitious freemen were three several times petitioned against to the house of commons: *first*, by J. Christian Curwen, esq. who became a candidate for the representation of the city, upon the vacancy occasioned by the death of the Honourable Edward Norton; *secondly*, by Rowland Stephenson, esq. who became a candidate upon the Duke of Norfolk succeeding to the peerage, in 1786; and *thirdly*, by Mr. Curwen and Mr. Brad-dyll, at the last general election: and in all these instances they were declared, by the several committees,

mittees, illegal. The last committee who were balloted under the powers of the amended Grenville act, reported specially to the house, "That the
 "right of election for the city of Carlisle, in the
 "county of Cumberland, is in the freemen of the
 "said city, duly admitted and sworn freemen of
 "the said city, having been previously admitted
 "brethren of one of the eight guilds or occupations of the said city, and deriving their
 "title to such freedom by being sons of freemen,
 "or by service of seven years apprenticeship to
 "a freeman resident, during such apprenticeship,
 "within the said city, and *in no others.*" March 3, 1791.

UNDUE INFLUENCE.—The following case came before the Court of King's Bench in Michaelmas term, 1791.

The Minister had a mind to compliment Mr. Garforth, a member of the late and present parliament, and steward and agent to the Earl of Lonsdale, with the place of collector of the customs in the city of Carlisle. Mr. Garforth, on account of his situation, was incapable of holding the office; and the place was given *in trust for him* to Mr. Fearon: Mr. Pearson acted as *deputy* to Mr. Fearon, and performed the duties of

of the office for him. A dispute, which was succeeded by a law-suit, happened between Mr. Garforth and Mr. Fearon; and it was decided in the Common Pleas, "That holding places in trust was illegal." The defendant had paid over the profits of the place to Mr. Garforth: and this action was brought by the plaintiff to recover the amount of the profits from Mr. Pearson, the acting officer, and receiver of the dues.

Lord Kenyon said, the conduct of the parties was such as not to entitle them to any indulgence; and therefore would not grant the application.

RETURNING OFFICER—the mayor.

PATRON—Duke of Norfolk.

COCKERMOUTH.

POLITICAL CHARACTER.—The elective influence of this town is possessed by the Earl of Lonsdale, who is proprietor of the town, and, of course, not to be offended in his dictation. The Earl of Egremont is lord of the manor and castle of this town, by descent from William de Meschines, who first possessed the honour of Cockermouth by gift of his brother Ranulph,
Earl

Earl of Cumberland. From him it descended, for want of male issue, to Gilbert Pipard ; and from him, for the like cause, to Richard Lucy, by whose male issue it became vested, in the reign of Richard III. in the year 1384, in the family of the Percy's, Earls of Northumberland. It continued in this family until Josceline, the last earl, who left only a daughter, married to Charles Seymour, the last Duke of Somersset but three, from whom it descended to the present Earl of Egremont. The Earl of Lonsdale, having purchased a majority of the houses in this borough, at a most enormous price, is careful that they are tenanted by such only as will obey his recommendation as implicitly as the fourteen hundred colliers he caused to be made in one day freemen of Carlisle.

ANCIENT REPRESENTATION.—This town has only enjoyed the privilege of representation since 1640, except one return that it made 23 Edw. I.

CORPORATION.—None. The town is, however, governed by a bailiff, chosen annually by a jury of sixteen burgesses, at the court of the lord of the manor. The town was anciently a hamlet to Brigham, a parish about a mile distant ; but
it

it has been a distinct parish ever since the reign of Edward III.

RIGHT OF ELECTION.—The members of parliament are chosen by the inhabitants at large.

NUMBER OF VOTERS—165.

RETURNING OFFICER—the bailiff.

PROPRIETOR—Earl of Lonsdale.

DERBYSHIRE.

POLITICAL CHARACTER.

ALTHOUGH Derbyshire contains six hundreds, eleven market-towns, one hundred and six parishes, twenty-one thousand one hundred and fifty houses, and twenty-six thousand nine hundred inhabitants, it sends only two members to parliament for the county, and two for Derby. The aristocratic influence prevailing in this county is that of the Duke of Devonshire, whose family contrived to secure the election of one of the knights of the shire for this last century; and, until the two last parliaments, Lord Scarisdale succeeded for the other. The county is now however considered as being half independent.

DERBY.

POLITICAL CHARACTER.—The mayor, aldermen, brothers, and capital burgessees who form the common-council, are all in the interest of the Duke of Devonshire, who, from their consequence, possess also great influence in the borough. They attach this interest to the above nobleman by the exercise of that power which they assume of making honorary freemen, or, as they are most usually termed, in this and every other place, *faggots*; these are made from among such persons as have neither the claim of birth nor servitude. By virtue of this power the aldermen can, at any time, create a number of freemen from among the Duke of Devonshire's tenants and dependents, in various parts of the county. Such faggots will consequently out-number the legal freemen of the borough; and these honorary freemen want no qualification but the *fiat* of the aldermen, and to have been one whole year invested with their nominal franchise, agreeably to the letter of the Durham act; and they are qualified to come into the town on the day of election, and to ease the resident freemen of all the inconveniences of a contest, by choosing their

their members for them. Derby, therefore, though a very large and opulent town, cannot maintain its independence, as it would, if the right of voting was in the inhabitant householders, where it ought to be, or if it were relieved from the tyranny of a corporation, under which no town can be free, unless it is constituted as that of London. In the case of Carlisle, making this description of freemen was deemed illegal: but in the case of Bedford and Derby, the reverse has been determined. If, therefore, Mr. Grenville had introduced a clause into his excellent bill, to ascertain the qualifications of voters, and to abolish honorary freedoms, and such surreptitious qualifications, he would have done more to have prevented expensive litigation, than the committees will ever be able to accomplish; for they are only competent to decide upon the evil when committed, without possessing the least power of preventing it in future.

ANCIENT REPRESENTATION.—This town has returned from the first summons 23 Edward I.

CORPORATION.—Derby, which is a place of great antiquity, was a royal borough in the reign of Edward the Confessor, at which time there were 143 burgeses; but when the Norman sur-

vey was made, they were reduced to 100. It was afterwards incorporated by a charter from king Charles I. This borough surrendered all prior charters and grants, and all its liberties and privileges, into the hands of the crown. Upon this, a new charter was granted, on the 5th of September, 34 Charles II. By this charter the corporate name is, "The mayor and burgeses of the borough of Derby, in the county of Derby." The corporation consists of a mayor, a high-steward, nine aldermen, a recorder, a town-clerk, fourteen brethren, fourteen common-council, and an indefinite number of freemen. The mayor is chosen every Michaelmas-day, from among the aldermen, by a majority of the aldermen and brethren. The aldermen hold their office for life, unless removed for ill-behaviour or non-residence. If by death, or any other removal, a vacancy happens, one of the brethren is chosen to fill it by the majority of the mayor and remaining aldermen. The brothers and capital burgeses are, in like manner, chosen for life, but liable to removal, like the aldermen. A vacancy among the brothers is supplied from among the capital burgeses, by the election of the majority of the mayor, aldermen,

aldermen, brothers, and remaining capital burgesses. The recorder is chosen by the majority of the mayor, aldermen, common clerk, brethren, capital burgesses, and must be *vir probus, discretus, et in legibus Angliæ eruditus*. His office continues during the pleasure of the mayor, aldermen, brothers, and capital burgesses; and the voice of the mayor is necessary for his removal, as it is for the removal or disfranchisement of all other officers or members of the corporation. The common clerk, who is also, *ex officio*, coroner, and clerk of the peace, is chosen by the majority, consisting of the aldermen, brothers, and capital burgesses, the mayor or recorder being one, and continues in office during their pleasure. The aldermen, brethren, and capital burgesses, must be constantly resident in the borough. The mayor, aldermen, brethren, capital burgesses, recorder, and common clerk, all take an oath of office: the mayor (either on the day of election, or, if absent, within one month after the election) before his predecessor, or, in his absence, before the recorder, or one of them, takes an oath; the aldermen, brethren, and capital burgesses, and the recorder, all take their oaths before the mayor for the time being; and the

common clerk takes his oath before the mayor and recorder, or either of them, and as many of the aldermen, brethren, and capital burgessees, as choose to be present. The *recorder* and *common clerk* cannot enter on their offices, until approved by the king. The mayor and recorder have power to appoint deputies; the mayor's deputy to be named from among the aldermen; and the recorder's deputy to be skilful in the laws of England: these deputies must likewise take an oath before the mayor. The aldermen, brethren, and capital burgessees, form the common council; and the majority of them, together with the mayor, have power to make bye-laws, impose fines, &c. The mayor, the *bishop of Litchfield and Coventry*, his chancellor, the recorder and town clerk, the mayor of the year preceding, and the four senior aldermen, are the *local justices* of the *peace*, but removable at the *king's pleasure*.

RIGHT OF ELECTION.—The members are chosen by the corporation, freemen, and sworn burgessees, by charter 14 Charles I.

NUMBER OF VOTERS—655.

RETURNING OFFICER—is the mayor.

PATRONS—Duke of Devonshire, and T. W. Coke, esq.

DEVON-

DEVONSHIRE .

POLITICAL CHARACTER,

THE political situation of this county is the direct opposite of rotten boroughs. Like Yorkshire and Lincolnshire, the extensiveness of its territory, the number of its inhabitants, and its weight of property, give it a capacity for the importance of a state equal to some of the American governments, rather than a poise in the representation with Old Sarum or Gatton. According to the ratio of its taxes, its proportion of representatives in the legislature of the kingdom would be *twenty-one* out of five hundred and fifty-eight. Yet we see the united boroughs of Weymouth and Melcombe with a hundred electors, and which is only a small portion of the estate of an individual, send twice as many members as this extensive county.

The freedom of election is likewise as much destroyed by its extended limits, population, and opulence, as it is in a rotten borough by the total want of these qualities. The expences attending a contested election for so large a district, effectually prevents an opposition. The two most

opulent gentlemen in the county have therefore only to perform the ceremonies of an election, and they are invested with the legislative character as securely as if the right of election was in their own persons. The grievance therefore is not lessened by going into opposite extremes. A perfect equality in district and population can alone form that system of beauty and perfection, which an equal representation would give to our admired constitution.

Devonshire is divided into 33 hundreds, and contains one city and thirty-seven market-towns. It is seated in the province of Canterbury, and diocese of Exeter. It sends twenty-six members to parliament; namely, two knights for the shire, two citizens for Exeter, and two burgesses for each of the following towns:—Ashburton, Barnstaple, Bearstaple, Dartmouth, Honiton, Oakhampton, Plymouth, Plymton, Tavistock, Tiverton, and Totness.

In a pension-list that was published in the reign of Charles II. is this whimsical character of one of the members for this county:

Sir *Copelson Bampffield, bart.* much addicted to tippling, presented to the king by his pretended wife, *Betty Roberts*, in *Pall-Mall*.

EXETER.

POLITICAL CHARACTER.—This city, which is a city and county of itself, is very ancient, and boasts of having had a mayor before even the city of London. Its extent is about a mile in compass; and it has fifteen parishes.

This is one of the few places in Great Britain which, in parliamentary language, is called an open city, from its not being under the influence of a nobleman, or any other individual. Were this the case in every city and borough, however imperfect the organization of their respective constitutions, our greatest complaint, that of base inequality, and individual influence, would be removed. Twelve hundred freemen are a number that command a powerful claim to representation; but, where the right is vested in twenty-four, thirty-six, or fifty-four corporators, as in most boroughs, and even the populous cities of Bath, Winchester, and Salisbury, it becomes a grievance of such a magnitude, as to be countenanced and supported only by the possessors of that despotic influence, which entails slavery on a people.

ANCIENT REPRESENTATION.—Exeter sent

K 4

members

members from the first demand of them after the conquest.

CORPORATION.—It is a county of itself, and is governed by a mayor, 24 aldermen, a recorder, a chamberlain, a town-clerk, a sheriff, and four stewards, and has a sword-bearer, four sergeants at mace, and four staff-bearers. The incorporate body of this city is divided into companies, and each company is governed by officers annually chosen from among them. Civil causes are tried by the mayor or his officers, who have cognizance of all pleas, and hear all causes between party and party, and determine them with the advice of the recorder, aldermen, and council of the city; but criminal causes, and breaches of the peace, are determined by eight aldermen, who are justices of the peace.

RIGHT OF ELECTION—is understood to be in the magistrates and freemen, there never having been any determination of the house on that question.

NUMBER OF VOTERS—may be ascertained from the following poll of the late contest, not to exceed 1200:

James Buller, esq.	1106
John Baring, esq.	588
Sir C. W. Bampfylde, bart.	550

RETURNING OFFICER—the sheriff.

TIVER.

TIVERTON.

POLITICAL CHARACTER.—The elective interest in this borough is entirely possessed by Lord Harrowby, who nominates the members. The following names of the whole constituent body will best explain the motives which govern their political attachments.

LIST,

- No. 1. Benjamin Dickenson, mayor.---This gentleman's independence may be estimated by the circumstance of his *brother* being a supervisor of excise, and his *brother-in-law* being employed in the customs.
- No. 2. John Davey.---The present chartered justice of the town.
- No. 3. David Gorton.---Both of these worthy electors are employed in the service of the mayor in no very enviable situation; added to which, the *justice* lately procured a commission for his son.
- No. 4. Henry Osmond.
- No. 5. Henry Osmond, jun. son to the above and *clerk* to Sir John, and *resident* at Exeter.
- No. 6. William Wood.---An extra-officer in the stamp-office, and *resident* in London.

No.

No. 7. Bevis Wood.—Town-clerk, receiver of the crown rents for *Devon, Cornwall, and Somerset*, an attorney at law in genteel practice.

No. 8. Barnard Besley, now comptroller of the customs at *Exon*, and *resident* there.

No. 9. John Besley, his brother, a dyer in a respectable line.

No. 10. William Besley, his son, in partnership with his father.

No. 11. Thomas Enchmarsh, }
No. 12. Richard Enchmarsh, } brothers.

No. 13. Philip Parkhouse.—A good-natured honest bookseller, whose principal trade is with the scholars of the grammar-school, and among the neighbouring gentry, by whom he is deservedly held in esteem.—He is *distributor of stamps*.

No. 14. William Martin.—A plain country farmer, who rents a small tenement in the parish, eats his mutton, and does as he is bid without grumbling.

No. 15. A merry baker, two of whose brothers are employed by government.

No. 16. George Cruwys.—The sapient vestry-clerk of the parish.

No. 17. William Horabin.—This man was born
in

in London; but being by trade a hot-preffer, he was sent for by the late Oliver Peard, and made one of the corporation of the town.

He *resides* at *Exeter*, and works for Sir John.

No. 18. Rev. William Walker, cousin of Sir John, through whose means he obtained a government-living near Bath, which he scarcely ever visits, except to receive *the fruits of Christ's vineyard*.

No. 19. John Webber.---In this good man's case there is something like a display of justice; for it is commonly reported he is saddled upon the above learned and reverend Sir, for an annuity of 40l. per annum.

No. 20. William Lewis.---A Tiverton *merchant*, and a near relation to Sir John.

No. 21. John Govett.

No. 22. William Jenkins.---Schoolmaster and maltster.

No. 23. John Owens.---A reputable manufacturer.

No. 24. Henry Dunsford.---Treasurer of turnpikes.

ANCIENT REPRESENTATION.---This borough never sent members to parliament until the year 1615, when it was so imprivileged by charter of
James

James I. who incorporated it by the name of mayor, twelve principal burgessees, and twelve assistants, who compose the whole constituent body of this branch of the democracy of Great Britain.

The reason assigned by the above monarch for enfranchising this borough, in the preamble to the charter, is somewhat curious, and what, in our opinion, would have justified at least a suspension, if not a removal of that privilege, supposing the borough to have possessed it before. This preamble begins with reciting, that Tiverton was an ancient town; and that it had lately *been burnt down*, thirty-five thousand pounds worth of property having been destroyed. And the king, perhaps thinking it would never be built up again, deemed it a proper place to balance the influence of Dunwich, which had been swallowed by the sea, and Old Sarum, which had been totally destroyed.

After this, Tiverton became a large populous place, and carried on a considerable trade. But, on the 5th of June 1731, another terrible fire happened here, which destroyed 200 of the best houses in the place, and most of the manufactures. The loss was estimated at £.150,000: on which

which the parliament passed an act, the following year, for rebuilding the town, in which it was enjoined that the new-built houses should be covered with tiles or lead, instead of thatch; that no trade, likely to occasion fires, should be exercised in the public streets, nor any stacks of corn or straw erected there; that fire-engines should be provided, and the streets and passages widened.

In 1723, the mayor of the borough of Tiverton having absented himself on the charter-day for electing his successor, no new mayor could be chosen. The year following, the crown was applied to for a new charter; and the business was referred to Sir Philip Yorke and Sir Clement Wearg, then attorney and solicitor general, for their opinion. In this report they stated the case of Banbury; and, after observing that the decision there had not been contradicted by any subsequent opinion of the court where it was made, nor of any superior court, they say, "That
" they apprehend it comes up to the case before
" them, and is a clear authority in law, that the
" corporation of Tiverton is at an end." They
therefore

therefore advised the king to grant a new charter.

To prevent the inconvenience attending the power which the presiding officer of corporations had of dissolving them, by being absent on the day appointed by their constitution, for the election of magistrates, it was afterwards enacted by the stat. 11 Geo. I. c. 4. "That, for the future, the corporation, in such cases, shall not be deemed or taken to be dissolved." It is likewise provided, that the persons entitled to choose the magistrates, shall proceed to make the election on the day immediately following the charter day, without the mayor or other presiding officer; and that the person next in office shall hold the court, and be the presiding officer for that purpose.

CORPORATION—consists of a mayor, twelve burgesses, twelve inferior assistants, a recorder, and a clerk of the peace. This charter of James I. empowered the mayor to be gaol-keeper, and ordered that the gaol-delivery should be before him and the recorder.

RIGHT OF ELECTION—The choice of representatives is vested in the corporation only.

NUMBER

NUMBER OF VOTERS—24.

RETURNING OFFICER—the mayor.

PATRON—Lord Harrowby.

EQUALITY OF VOTES.

December 1, 1710.—The return for this borough being read, it appeared that T. B. R. M. and J. W. esqrs. had all an equal number of voices.

Resolved,—“ That the late election of burgeses
“ to serve in this present parliament, for the
“ borough of *Tiverton*, is a void election.”

Ordered,—“ A new writ to issue,” &c.

DARTMOUTH.

POLITICAL CHARACTER.—This is another instance, like *Tiverton*, in this county, of a large and populous town suffering the most invaluable privilege of man to be assumed and exercised by a corporation, consisting of forty freemen, or, as they ought with justice and propriety to be styled, bondmen! These forty select gentry, constituted

constituted to legislate for a community, are again circumscribed, by the operation of Mr. Crewe's bill, to less than half of even that number. The governor of Dartmouth, the collector, comptroller, and all the officers of the custom-house, are taken from this immaculate body; and the remainder are mostly under the employment of government, as gunners, and other officers, which Mr. Crewe's bill does not disqualify.

This is one of those hopeful places termed government-boroughs, from the Treasury and Admiralty taking to themselves the exercise of that influence which might, with more ease, and equal propriety, be exercised by the clerks at the desk, in either of those offices. One of the members recommended by government to this borough, is generally a neighbouring gentleman; the other is always a stranger, who appears to have no other interest with the voters, than that of completely intoxicating them at an election.

Since the death of the late Arthur Holdsworth, esq. member for this town, Mr. Edward Bastard, of Sharpham, near this borough, brother

to

to the member for the county, has taken the lead of this corporation.

ANCIENT REPRESENTATION.—This borough sent only once to parliament, viz. 26 Edward I. before 24 Edward III.

CORPORATION—was granted by Edward III. It consists of a mayor, recorder, two bailiffs, and twelve common-councilmen. They keep a court of sessions, and a water-bailiwick court.

RIGHT OF ELECTION.—Nov. 21, 1689.—

I. The committee reported, that it appeared, the right of election for the borough of Dartmouth, alias Clifton Dartmouth Hardness, in Com. Devon. was in the freemen of the said borough.

II. *Resolved, nemine contradicente*.—"That twenty
"five new freemen, made after the writ bore
"teste, were not duly nor legally made.—
"Agreed to by this house."

III. *Ordered*—"That Mr. Whitrow, the late
"mayor, be taken into custody, for his mis-
"deameanours in making the said freemen."

NUMBER OF VOTERS—20.

RETURNING OFFICER—the mayor.

PATRON—Edward Bastard, esq.

ASHBURTON.

POLITICAL CHARACTER---This being a bur-
gage-tenure borough, was the joint property of
the late Earl of Orford and Sir Robert Palke;
but, by the decease of the former, his share of it
descends to Mr. Trefusis.

ANCIENT REPRESENTATION---Ashburton sent
members to parliament the 26th of Edward I.
and again the 8th of Henry IV. since which time
it never made any more returns before the 15th
of Charles I. anno 1640, when it was restored
with other boroughs.

CORPORATION---None. It is however governed
by a portreve, annually chosen at the court of the
lord of the manor.

RIGHT OF ELECTION---Brown Willis ob-
serves, that all the housekeepers voted in this
borough until the year 1707, and that the number
upon the poll were 196: so that its personal pro-
perty in representation has not been of more
than 85 years duration. The members are cho-
sen in a place that is now used as a school-house,
and which was formerly a chapel dedicated to St.
Lawrence.

Feb.

Feb. 26, 1707, Resolved---“ That the right of
 “ election of members to serve in parlia-
 “ ment for the borough of *Ashburton*, in the
 “ county of Devon, is in the freeholders
 “ having lands or tenements holden of the
 “ said borough only.”

March 17, 1701, Resolved---“ That the free-
 “ holders of the lands and tenements called
 “ *Halshanger* and *Holwell* lands, lying within
 “ the borough of *Ashburton*, and subject to
 “ pay a borough-rent, have a right to vote
 “ for members to serve in parliament for the
 “ said borough of *Ashburton*.

NUMBER OF VOTERS.---This is of very little consequence, from the majority of the freeholds, which gave a right of suffrage, being the joint property of Mr. Trefusis and Sir Robert Palke; and as the freeholds are only divided at their discretion, for the purpose of complying with the forms of an election, the number of voters is virtually only two, although they have been reckoned by Willis and others to be 200.

RETURNING OFFICER---the portreve.

PROPRIETORS---Sir Robert Palke, bart. and Mr. Trefusis.

OAKHAMPTON, or OKEHAMPTON.

POLITICAL CHARACTER.—The state of this borough is singular: its constitution is partly feudal, and partly corporate. Previous to the acceptance of the charter, the portreve of the borough had always made the return ; but, from the date of the charter, 1623, the mayor has always taken upon himself that office. A Mr. Hawkes, an ingenious attorney of this place, chose to revive, in his own person, the office of portreve at the last general election, which had lain dormant for 167 years, and in that capacity to take the poll, and made a return to parliament of John William Anderson, esq. and John Townson, esq. as being duly elected to represent the borough. The portreve had formerly been chosen by the homage of a court-leet of the lord of the manor, at Michaelmas in every year ; but the charter giving the corporation a power to make bye-laws, it was cautiously and cunningly provided, by one of the first acts of the corporation, that the mayor for the time being should be presented to the homage, to be chosen portreve also for the year of his mayoralty. Thus were
the

the feudal and corporate offices united in one person. The junction of the offices took place in 1623, and has continued with but one exception ever since. Mr. Hawkes was duly chosen by the homage, at the Michaelmas court-leet of 1789, and appeared to have a very strong claim to exercise the powers of returning officer. The mayor also chose to act the same part with Mr. Hawkes the portreve: he took a poll, admitted votes which Mr. Hawkes rejected, and rejected votes which Mr. Hawkes admitted, and concluded by returning Colonel St. Leger, and Robert Ladbroke, esq. to parliament. By this last return, the numbers were stated to be, for

Colonel St. Leger	—	168
Mr. Ladbroke	—	167
Mr. Townson	—	69
Mr. Anderson	—	68

Although, by the return of Mr. Hawkes, Townson appeared to have 102, and Anderson 101, and St. Leger and Ladbroke to be in a minority with both,

A DOUBLE RETURN.

This double return came to a hearing before a committee of the house of commons, on Friday

the 4th of February, 1791; when the question at issue, between Thomas Bridgman Luxmore, the mayor, and John Hawkes, the portreve, as to the right of exercising the powers of returning officer, came first to be argued. The committee, after hearing the evidence, determined,

First—"That the portreve *is not* the proper
" returning officer for the borough of Oke-
" hampton."

Secondly—"That the mayor *is* the proper re-
" turning officer."

By this decision, St. Leger and Ladbroke became the sitting members, and Townson and Anderson became the petitioners.

The counsel for the petitioners then proceeded to give their clients a majority, by objecting to four votes which the mayor had admitted for the sitting members, who were bad votes, and seventy two others, who had freeholds conveyed to them by the Duke of Bedford, Earl Spencer, and a Mr. Harris, for no equitable consideration, only a few weeks before the election; and the conveyances were made to persons collected from every quarter of the kingdom. It appeared in evidence that *thirty-one* of those grants were made by Earl Spencer, *twenty-one* by the Duke of Bedford and Mr. Palmer,

Palmer, and the remainder by other gentlemen in the interest of the above noblemen. After hearing arguments of counsel *pro* and *con.* and several evidences, whose examination lasted several days, the committee determined on each of the seventy-two votes so manufactured; and their opinion was, that *every one of them was bad.*

The counsel for Townsend and Anderson then proceeded to adduce evidence against the other voters, to whom they objected.

These were four, viz. Robins, Lethbridge, Henley, and Ford. The first was objected to on the score of insanity; but the counsel failing in their proof he was declared *good.*

The second was objected to as a distributor of stamps, and of course disqualified by Mr. Crewe's bill; but it appearing that he was appointed by the distributor of stamps for the county, and not by government, he was adjudged *good.*

The third was objected to on the same ground, he being employed in the collection of the excise: but it appearing that he had been discharged by the board for more than five years, and that he was only employed occasionally by the collector of the district, during the absence or sickness of other excise officers, for which he received at the

rate of £.40 per annum, by the collector, to be afterwards allowed by the board at their discretion, he was declared *good*.*

The fourth was objected to, as not having been admitted to his freedom until after the election. He was entitled to his freedom, by birth; but not arriving at Oakhampton until the Sunday before the election, which happened the next day, the mayor not being bound to hold a court on Sunday, and there not being time on the Monday morning, the vote was deemed *good*.

Two other votes were added to the poll of the petitioners,

* A similar decision took place in the court of King's Bench, last Michaelmas term. Two actions were brought by one Evans, a hair dresser, of Brighthelmstone:—one against Richard Stevens, the other against John Ockenden, electors of Seaford, for the penalties of £.100 each, under Mr. Crew's bill; the said Stevens and Ockenden having been employed within the last year, previous to the election at which they gave their votes, in the capacity of what is termed hop-assistants, to collect and manage the receipt of the duty on hops, during that season in which hops are gathered. The causes were tried at the last summer-assizes for the county of Sussex, when the jury found special verdicts in each cause, subject to the decision of the court of King's Bench, in which the actions were brought. The court determined that they *did not* come under the description of revenue-officers, and, of course, judgment went for the defendants.

petitioners, and some rejected, as was the fortune of the fitting members: at length the committee having finished the evidence, there appeared a majority of *two* votes for St. Leger, and *one* for Ladbroke, who were thereupon declared to be duly elected.

So little do the rights of election seem to have been understood, until very lately, in this country, that, at an election for this borough in 1660, the freeholders, who first asserted their right to vote, assembled in a tumultuous manner to oppose the mayor, and made a return of *one member only*, contrary to every idea of right; for they must have been entitled to the election of two members, or none. However, the house recognized their right the ensuing year, and they have continued to exercise it ever since.

ANCIENT REPRESENTATION.—This is an ancient borough and barony; and we find in doom-day-book, that there were then four burgeses and a market. This town was again raised to a borough, according to the modern acceptance of the word, by James I. In 1648 it was again admitted to send members to parliament, as it had formerly done in the reigns of Edward I. and II.

CORPORATION—consists of eight principal burgesses, from whom the mayor is annually chosen; and as many assistants, from whom the principal burgesses are elected.

RIGHT OF ELECTION.—*Feb. 24, 1710, Resolved,*

“ That the right of electing members to
 “ serve in parliament, for the borough of
 “ Oakhampton, in the county of Devon,
 “ is in the freeholders, and freeman being
 “ made free according to the charter and
 “ bye-laws of the said borough.”

NUMBER OF VOTERS—182.

RETURNING OFFICER—the mayor, who has great influence at elections.

PATRONS—Duke of Bedford and Earl Speneer.

BEREALSTON.

POLITICAL CHARACTER.— This being a burgage-tenure borough, and the property of the Earl of Beverly, to whom it was bequeathed by the will of his father, the late Duke of Northumberland, its representation depends upon the will of that nobleman.

ANCIENT REPRESENTATION.—Although this town is an ancient borough by prescription, the

right of sending members was not restored to them until 27 Eliz.

CORPORATION.—None. It is however governed by a portreve, chosen annually at the lord's court.

RIGHT OF ELECTION—is in those who have land in the borough, and pay three-pence acknowledgement to the lord. The whole number of houses, or rather cottages, for they are all of the meanest and most miserable description, do not exceed forty.

I. 26 Mar. 1729. *Resolved, nemine contradicente*, “That the right of election of burgesses to serve in parliament for the borough of Berealston, in the county of Devon, is in the freehold tenants of the said borough, holding by burgage-tenure; and paying three-pence per annum, or more, ancient burgage-rent, to the lord of the said borough, and in them only.”

II. “The house being acquainted, that an indenture of return, signed by the freehold tenants of the said borough, had been tendered to the portreve of the said borough, at the time of the election, but that he refused to accept the same; and that one
“ of

“ of the persons who had signed and tendered the said indenture to the portreve,
 “ was at the door ;

The said person was called in and examined, and delivered the said indenture in to the clerk of the house ; and the same was read at the table.

And the clerk of the crown attending the house in his place, according to order, with the return for the said borough ;

Ordered, “ That the clerk of the crown do
 “ take off from the writ the indenture by
 “ which Philip Cavendish, esq. is returned
 “ to serve for the said borough.”

3. *Ordered,* “ That the portreve of the said
 “ borough of Berealston do execute the indenture of return, signed by the freehold
 “ tenants of the said borough, which was
 “ tendered to him at the time of the election ; and that, when the said indenture is
 “ so executed, the clerk of the crown do
 “ receive the same, and annex it to the writ
 “ directing the said election.”

NUMBER OF ELECTORS—Depend entirely upon the will of the lord, who, by granting burgage-tenures, which are usually resigned, in this and
 all

all other similar boroughs, to their legal owners, immediately after the election is concluded. The number therefore of voters may be said to be efficiently but one, although the burgage tenures have sometimes amounted to 100.

RETURNING OFFICER—The lords portreve.

PROPRIETOR—Earl of Beverly.

POLITICAL ANECDOTE.

The following anecdote is worth relating, in the history of this borough :—The Earl of Mornington was one of the members returned for this borough at the general election in 1784, in the time of the late Duke of Northumberland; and his lordship vacating his seat in December 1786, by being appointed a lord of the treasury, the Earl of Beverley, who had then succeeded his father in this estate, had taken offence at some conduct in the present administration, and therefore refused the treasury-agent his re-election.

ANOTHER.

At the election for this borough, A. D. 1721, Eliot, a commissioner of excise, had taken upon himself

himself to be the returning officer, contrary to law, which forbids any person belonging to the excise to meddle with elections. A motion made to address the king, was, by this virtuous parliament, set aside, by moving the previous question.

PLYMOUTH.

POLITICAL CHARACTER.---This town, which is as large and populous as the city of Exeter, affords a most convincing proof of that want of reform in our representative system, which has been the object of our greatest men and best patriots, and which it is the design of this publication to promote.

This is one of the places termed Admiralty boroughs, from that board taking upon itself the nomination of the members. It is generally represented by a lord of the admiralty, and an admiral or captain of the navy: and the admiralty always display the estimation which this place, Portsmouth, or Chatham, hold in their favour, by the good behaviour of the respective corporations, as the ships are usually paid off at that port which manifests the most political submission

mission. Rochester, the politics of which form the barometer of court-favour for Chatham, experiences but half the civility it might otherwise expect, from Mr. Best, one of their members, being in opposition; and Portsmouth is deemed incorrigible, from having both in that predicament.

ANCIENT REPRESENTATION.—This borough, anciently known by the name of *Sutton*, having sent, 26 or 33 Edward I. the 4th and 7th Edward II. and to a council, 14 Edward III. intermitted returning until 20 Henry IV. who incorporated it in the 18th year of his reign.

CORPORATION—consists of a mayor, recorder, twelve aldermen, and forty-eight common-councilmen.

RIGHT OF ELECTION—Of members to represent twenty thousand inhabitants, who are calculated to be in this town, is invested in a self-created corporation: but the right in this place, as in all others, was originally in the people at large, until the ingenuity of power defined commonalty to mean corporation, populacy to mean tax-payers, and, by a system of political logic, proved a part to be the whole.

Jan. 15, 1639. The standing order, made

16 Jan.

16 Jan. 1735, for restraining counsel from offering evidence touching the legality of votes contrary to the last determination of the house of commons, was read;

And the last determination of the house concerning the right of electing burgesses to serve in parliament for the said borough, made the 9th of June 1660, which was then resolved to be in the mayor and commonalty of the said borough, was also read.

Then the counsel for the petitioner were heard, and insisted, that the word *commonalty*, in the said last determination, extended only to the freemen of the said borough, exclusive of the freeholders thereof.

Which being denied by the counsel for the sitting member, who insisted that the said word *commonalty* includes the freeholders of the said borough;

Many pieces of evidence were given on each side (which are stated in the votes of this day, and on the day next hereafter-mentioned) consisting chiefly of charters, indentures of return, a parliament-roll, and witnesses to prove the usage.

Dec. 14, 1739. 1. Ordered, " That the com-
" missioner,

" millioner, and clerk of the checque, of his
 " Majesty's dock-yard near the borough of
 " Plymouth, do permit John Rogers, esq.
 " (against whom a petition is depending
 " before the house, touching the last elec-
 " tion of a member to serve in parliament
 " for the said borough) or his agents, to
 " inspect and take minutes of the muster-
 " rolls and books, wherein are contained
 " the time of entry and discharge of all
 " shipwrights, labourers, and other artificers
 " belonging to the said dock."

2. *Ordered*, " That the agent, victualler, and
 " clerk of the checque, of his majesty's vic-
 " tualling-office at Plymouth, do permit
 " John Rogers, esq. (against whom, &c.)
 " or his agents, to inspect and take minutes
 " of the muster-rolls and books, wherein
 " are contained the time of the entry and
 " discharge of all persons employed in the
 " said office."

Jan. 17, 1639. *It was resolved*, " That in the
 " last determination of this house, of the
 " right of election of members to serve in
 " parliament for the borough of Plymouth,
 " in the county of *Devon*, made the 9th of

“ June, 1660, which is as follows :—“ That
 “ the mayor and commonalty of Plymouth
 “ have a right to elect members to serve in
 “ parliament for that borough”—it appears
 “ to this house, that the word *commonalty*
 “ therein mentioned extended to the free-
 “ men only of the said borough.”

The fitting member acquainted the house, that the word *commonalty*, mentioned in the last determination of this house, of the right of election of members to serve in parliament for the borough of *Plymouth*, being declared by this house to extend to the freemen only of the borough, he would not give the house any farther trouble ; and then withdrew.

And the question being put, that John Rogers, esq. is duly elected a burghers to serve in this present parliament for the borough of Plymouth, in the county of *Devon* ;

It passed in the negative.

Resolved, “ That Charles Vanbrugh, esq. is
 “ duly elected,” &c.

NUMBER OF VOTERS—160.

RETURNING OFFICER—The mayor.

PATRON—the admiralty.

TOTNESS.

POLITICAL CHARACTER.—Here exists an hereditary claim to a burgesship, which we mention on account of its singularity. The Earl of Mount Edgcumbe exercises the corporate powers of a burges, in right of his ancestor, Richard Edgcumbe, esq. who, in the second year of Queen Elizabeth, conveyed the manor of the borough of Totness to the corporation, on a reserved rent of twenty-one pounds per annum, payable to the owner of the castle, reserving with this alienation the right of a burgesship to his heirs for ever.

The influence had been for many years in the family of the Duke of Bolton; but it is now partly possessed by Mr. Justice Buller, whose ancestor represented the borough at the Revolution.

ANCIENT REPRESENTATION.—This borough sent to parliament as early as 23 Edward I.

CORPORATION.—This town was incorporated by charter of Elizabeth. It is governed by a mayor, recorder, 13 capital members or assistants, two counsellors, and 20 burgessees.

RIGHT OF ELECTION.—Although this town is far less populous than Plymouth, yet, like that place, the right of sending members to parliament is in the corporation.

Mar. 4, 1695. *Resolved*, " That the persons
 " made free by the late King James's charter, to the borough of Totness (*in com.*
Devon) have no right to vote in electing
 " members to serve in parliament for the
 " said borough, by virtue of such freedom."

Resolved, " That the right of electing burgessees
 " to serve in parliament for the said borough of Totness, is in the freemen not
 " inhabiting, as well as in the freemen inhabiting, within the said borough of Totness."

Resolved, " That *Sir Richard Gipps*, having
 " presented to the house a frivolous, vexatious, and groundless petition, relating to
 " the election of members to serve in parliament for the said borough of Totness,
 " be taken into custody of the serjeant at arms."

Resolved, " That *Sir Richard Gipps* do make
 " satisfaction to the members of this house,
 " as

“ as petitioned against, for the costs and expences they have been put unto, by reason of such petition.”

NUMBER OF VOTERS—34.

RETURNING OFFICER—the mayor.

PATRONS—Duke of Bolton, and Sir Francis Buller, Bart.

PLYMPTON.

POLITICAL CHARACTER.—This is a small town, consisting of about 200 ordinary houses, forming two irregular streets, in the form of a Roman T. The chief influence being in the Earl of Mount Edgumbe, this borough may be said to be under the aristocratical controul which has subverted that freedom of election, containing the essentials of liberty.

ANCIENT REPRESENTATION.—This borough sent, like Barnstaple, members to parliament as early as 23 Edward I.

CORPORATION.—It was made a mayor-town by John. The corporation consists of a mayor and eight aldermen, or principal burgessees, who are called common council, and an indefinite number of freemen. It was incorporated, according to

Dr. Brady, by Baldwin de Redvers, earl of Devonshire, in the thirteenth year of Edward III. whose charter was afterwards confirmed by Edward III. Richard II. Henry V. and Henry VI.

The system of modelling the charters, exercised in the arbitrary reigns of Charles II. and James II. was practised in this borough : but the charter of James II. was, at the Revolution, voted destructive of the constitution and government ; and the freemen claiming under the former charters, were re-admitted to their franchise.

RIGHT OF ELECTION—is in the mayor, bailiffs, and freemen of the said borough, and in the sons of freemen, who, although they have a right to demand their freedom, have been refused the same.

NUMBER OF VOTERS—44.

RETURNING OFFICER—the mayor.

PATRON—Earl of Mount Edgcumbe.

TAVISTOCK.

POLITICAL CHARACTER.—This borough was formerly the seat of Orgar, earl of Devonshire, whose son, Ordulf, built an abbey here *anno* 961; the revenues of which were valued, 26 of Henry

Henry VIII. at £. 902 5s. 7d. *per annum*. At the dissolution of the abbeyes, 1539, the thirty-first of Henry VIII. that king, by letters patent, dated July 4, gave John Lord Russell, afterwards created earl of Bedford, *the site of this monastery, with the borough and town of Tavistock, and bur-gage thereof*, with the rectory and advowson of the vicarage; in which family it has ever since continued: and it is now possessed by the present Duke of Bedford.

ANCIENT REPRESENTATION—was exercised as early as 23 and 33 Edward I. and 19 Edward II. It then intermitted until 4 Edward III. from which time it has constantly sent to parliament.

CORPORATION—none. For this borough was never incorporated, although it has sent members to parliament ever since 4 Edward III.

RIGHT OF ELECTION.—The right of election is vested in the freeholders, who, at the last poll taken, were one hundred and ten in number. Those freeholds however being the property of the Duke of Bedford, there cannot be said to be more than *one* actual elector.

Here is an instance of a very large and populous town, whose representatives are chosen, not by a hundred and sixty self-elected corporators,

like Plymouth, or by twenty-four, which is the case at Tiverton, but by one hundred and ten freeholders, who hold those freeholds under the conveyance of an individual, for the purpose of making an election of two representatives.

NUMBER OF VOTERS—110.

RETURNING OFFICER—the portreve, annually chosen at the lord's court by twenty-four freeholders, appointed by the steward for that purpose.

PROPRIETOR—Duke of Bedford.

BARNSTAPLE.

POLITICAL CHARACTER.—This borough appears, like Oakhampton, to have been partly feudal, and partly corporate, in its constitution; and there have been anciently many attempts of the inhabitants to obtain charters of the kings to exonerate them from the jurisdiction of their lord.

Beside the mayor, two aldermen, and twenty-two common-council, constituted by the several charters, there are near two hundred and fifty *common burghesses*, who assume that right by prescription; which they carry as far back as king Athelstone,

Athelstone, when the term burghs implied the inhabitant of a tything or borough; and the rights of which they still exercise, independent of either of the above charters.

To these partial remains of its original character the borough perhaps owes its present independence; for it does not, as we can understand, acknowledge the influence of a patron.

ANCIENT REPRESENTATION.—This, which was a borough before the conquest, sent members on the first summons, 23 Edward I.

CORPORATION.—It appears to have been first incorporated by Henry I. and King John gave it a mayor and two bailiffs. Queen Mary added two aldermen and a common council of twenty-two; and James I. ratified and confirmed all these privileges in the eighth year of his reign.

The manor of Barnstaple has descended through a number of families, from the first grant of it, by the Conqueror, to Judhael de Totnais, to the present time; but, as nothing sufficiently remarkable to attract the notice of our readers occurs in the history, we omit detailing the particulars.

RIGHT OF ELECTION—-is in the corporation, consisting of a mayor, two aldermen, and twenty-

two

two common council, and in the common bur-
gesses.

NUMBER OF VOTERS---450.

RETURNING OFFICER---the mayor.

PATRON---none.

An attempt was made, at the last election, to introduce a member on the interest of Mr. Rolle, the representative for the county ; but it did not succeed ; the numbers upon the poll being, for

John Cleveland, esq.	162
----------------------	-----

William Devaynes, esq.	160
------------------------	-----

Richard Wilson, esq.	92
----------------------	----

A petition was presented to the house of commons, by Mr. Wilson, against the return of the other two ; and, upon the hearing, some strong proofs of bribery were produced, and supported by eleven witnesses : the committee, however, so far from giving any degree of credit to them, voted the petition frivolous and vexatious. Mr. Wilson complained heavily of the decision in the public papers ; but we have since heard no more of the contest.

HONITON.

HONITON.

POLITICAL CHARACTER.—This is a borough by prescription. Having neglected its right from about the latter part of Edward the First's reign, it was not restored to its legislative privileges until William Pole, esq. by his strenuous efforts, regained the right, 16 Charles I. 1640.

Sir George Yonge has an hereditary family interest, in consequence of having considerable property in the parish and its neighbourhood. This interest began ever since the town was restored to its privileges in 1640, when his ancestor, Walter Yonge, esq. was elected. The family have, almost without intermission, successively been returned for this borough. This natural affection of the people, the consistency of principles, and the general conduct of the *Yonges*, have confirmed: for the present Sir George Yonge has the interest of about six parts in seven of the voters in his favour.

The other member is generally a stranger, who is sought out by individuals, properly denominated *borough-mongers*, who possess a perfect knowledge of the lower classes, whom, by various arts, they retain in attachment to them. Previous

vious to a vacancy, these dealers in corruption endeavour to find a candidate suited to their purpose, as rich and unexceptionable as possible, who depositing a certain sum of money, is certain of having every art and effort exerted in his favour. Thus bribery commences and continues in proportion to the activity of the agents of a third candidate.

BRIBING THE VOTERS.

The mode pursued, is that of giving each voter from five to fifty guineas, according to the emergency of the contest; and their wives, meat, clothes, &c. and also by opening inns, for which purpose a considerable number are permitted to exist. The number of votes influenced by these or other private considerations, are nineteen out of twenty. The sum necessary to purchase a seat may vary from £.2000 to £.8000.

Lord Courteney is lord of the manor, and exercises the right of appointing (by a directed jury) the officers of portreve and bailiff annually. What interest he has, is conferred on Sir George Yonge, bart. These offices confer no dignity,

nor

nor are attended with any considerable emolument.

ANCIENT REPRESENTATION — appears, as above, to have been as early as 28 Edward I. It likewise sent to parliament 4 Edward II. it then intermitted sending until the right was restored to the borough; when Cockermouth, Oakhampton, &c. were admitted to the same revival of privilege, 1640.

CORPORATION—none; it being governed by a portreve, who is annually chosen as above, at the court of the lord of the manor.

RIGHT OF ELECTION—was in those paying scot and lot, and housekeepers, pot-wallers, not receiving alms: the right of the latter was exercised and conferred in consequence of a petition against Walter Yonge, esq. 1701; but, upon a special return of Sir William Drake, bart. Sir Walter Yonge, bart. and James Sheppard, esq. the portreve referred the matter to the house, where, after discussing both sides, a great majority,

Feb. 3, 1710, Resolved—“ That the right of
 “ electing members to serve in parliament
 “ for the borough of Honiton, in the county
 “ of

" of Devon, is in the inhabitants of the said
 " borough, paying scot and lot only."

But, fourteen years after, the right of voting was again allowed to the pot-wallers, by the following determination :

Dec. 18, 1724, Resolved,—" That the right of
 " election of burgessees to serve in parlia-
 " ment for the borough of Honiton, in the
 " county of Devon, is in the inhabitants,
 " housekeepers, within the said borough,
 " called *Pot-wallers*, not receiving alms of
 " the parish."

NUMBER OF VOTERS—350. The number of houses out of the borough are only twelve.

RETURNING OFFICER—the portreve.

PATRON—Sir George Yonge, bart.

DORSETSHIRE.

POLITICAL CHARACTER.—Lord Rivers is understood to possess the first aristocratical interest in this county. His lordship represented it until he became a peer, in 1776: he was then succeeded by his son the hon. George Pitt. This gentleman

gentleman declined, in 1790, to his relation William Morton Pitt, esq. who is one of its present representatives. The Earls of Ilchester, Dorchester, Shaftsbury, and Digby, and other noblemen and gentlemen, have considerable interest, as must be the case in every county, but that of Lord Rivers preponderates; and such as are in the court interest are, of course, understood to unite with him.

Bribery, perjury, and the horrid train of evils that are so common in the rotten boroughs, are precluded, by the extent of numbers, from introducing themselves into the constituent body of a county; but influence must prevail, until the right is changed from property to persons, or the suffrages of the freeholders be taken by ballot, and the opulent noblemen and gentlemen thus rendered incapable of distinguishing the dependent elector from him who exercises this first right of a freeman, agreeably to the dictates of his mind.

DORCHESTER.

POLITICAL CHARACTER.— Almost one half of the houses and other ratable property in this town

town belongs to the Earl of Shaftesbury, who conveys them by freehold leases to his friends and dependents for the purpose of making votes at the election. One of these trust-holders claimed and actually exercised, the right of voting for a piece of land lying near St. Peter's church, on which a little shop anciently stood, but which now makes part of the public road, and is covered with pavement; many other small pieces of land, which are entirely waste, and covered with rubbish and weeds, have the right of suffrage annexed to them, and are justly considered to be the most valuable voting property which the Earl of Shaftesbury possesses at Dorchester; because they admit of no inhabitant to give his suffrage for his personal effects, who might be able to balance the vote of the noble Earl's tenant in trust. By means of this property, the Earl of Shaftesbury elects one member, who is his representative in the House of Commons, because, as he is chosen by means of the Earl's property and by his direction, he cannot, by any forced construction whatever, be said to be the representative of the inhabitants of Dorchester, or of any part of the people of England. As a very considerable part
of

of the House of Commons is of this description, the opinion of those who assert, that, in the English Government, the monarchical, aristocratical, and democratical powers are justly balanced, is certainly fallacious; for if that opinion was true, the nobles could have no share in the elections of the members of the House of Commons.

The Earl of Dorchester, who is a native of this town, is possessed of 30 or 40 houses; but this property will not insure the election of the other representative, unless he calls in to his assistance the property of his steward and agent, Mr. Robert Strickland, who holds an equal number of houses with his lordship. Indeed, at the last election, the eldest son of the Earl of Dorchester, being in a different interest from his father, refused to employ the influence arising from his father's property, and solicited the suffrages of the personal voters only; of these he obtained nearly two thirds, and was in consequence returned by the mayor: But a committee of the House of Commons was of opinion, that a decided majority of the inhabitants did not entitle him to a seat for Dorchester.

Mr. Fane, the present member, was chosen by the independent interest, but it is very doubtful

whether that interest will be strong enough to secure him a seat in the next parliament, especially if a reconciliation should take place between the Earl of Dorchester and his son, and a junction should be formed between him and the Earl of Shaftesbury. In this event, the two members of the House of Commons will be chosen by two members of the House of Lords.

ANCIENT REPRESENTATION.—This town has sent members to parliament ever since 23 Edward I.

CORPORATION—consists of a mayor, a recorder, two bailiffs, six aldermen, six capital burgesses, and twenty-four common-councilmen, who are to take care of the liberties and trade of the town. This charter was granted them by Charles I. in the 5th year of his reign.

In this town the assizes are kept as well as the quarter-sessions, and the knights of the shire are chosen at Dorchester.

RIGHT OF ELECTION.—*Mar. 18, 1720. Resolved,* "That the right of electing burgesses to serve in parliament for the borough of Dorchester in the county of Dorset, is in the inhabitants of the said borough paying to church and poor, in
3 " respect

“ respect of their personal estates, and in
 “ such persons as pay to church and poor,
 “ in respect of their real estates within the
 “ borough.”

And Thomas Pitman, the mayor, was ordered into custody for illegal and arbitrary practices at the election.

May 17, 1720. *Resolved*, “ That that part of
 “ the parish called the *Holy Trinity*, alias
 “ *Dorchester Trinitatis*, which was formerly
 “ the parish of Froome Whitfield, is no
 “ part of Dorchester in the county of Dor-
 “ set.”

Resolved, “ That the tithing of Collington-
 “ row, within the parish of the *Holy Trinity*,
 “ alias *Dorchester Trinitatis*, is no part of
 “ the borough of *Dorchester* in the county
 “ of *Dorset*.”

Feb. 22, 1775. *Resolved*, by the Committee,
 “ That, pursuant to the last determination,
 “ such persons as pay to church and poor,
 “ in respect of their real estates within the
 “ said borough, though not inhabitants or
 “ occupiers, were entitled to vote.”

April 14, 1791. *Resolved*, “ That, pursuant

“ to the last determination of the House of
“ Commons, the right of electing burgesſes
“ to ſerve in parliament for the borough of
“ Dorcheſter in the county of Dorſet, is
“ in the inhabitants of the ſaid borough
“ paying to church and poor, in reſpect of
“ their perſonal eſtates, and in ſuch perſons
“ as pay to church and poor in reſpect to
“ their real eſtates within the ſaid borough,
“ although not inhabitants or occupiers, and
“ although their names do not appear upon
“ the poor’s rate.”

But this right of election may be ſaid to be pregnant with the greateſt political inconveniences: for a perſon poſſeſſing the fee ſimple of a houſe and offices may, by letting his houſe to one, his garden to a ſecond, his coach-houſe to a third, and his ſtable to a fourth, qualify as many voters, and that without regard to reſidence, or his name ever appearing upon the poor’s rate. We ſhould, therefore, be happy to be informed, by what criterion the returning officer is to judge of what votes he ſhould admit or reſuſe: or, indeed, upon the view here taken of the inconfiſtent principles and extraordinary determinations

determinations of the right of voting, which this scene of borough election affords, on what system or security of right can this country depend for a pure, free, equal, and adequate representation?

NUMBER OF VOTERS—200.

RETURNING OFFICER—the mayor.

PATRONS—The Earl of Shaftesbury, and Earl of Dorchester.

LYME-REGIS.

In Camden's time, this was a small inconsiderable place, inhabited by fishermen; but towards the close of the last century it was much improved, and was a considerable port, frequented by wealthy merchants. At present, it has little or no trade, and is only resorted to by strangers in the summer season, for the purpose of sea-bathing.

POLITICAL CHARACTER.—This may be deemed one of those many dependent boroughs, which is wholly under the controul of an individual; the Earl of Westmoreland and his ancestors having had the entire influence in the corporation for the last century.

The Corporation at present consists of the following persons :

1. John, Earl of Westmoreland, proprietor of the borough.

2. Hon. Henry Fane, uncle of the Earl of Westmoreland, and one of his representatives in the House of Commons.

3. Hon. Thomas Fane, brother of the Earl of Westmoreland, and his other representative in the House of Commons. (*Pro curia in versique mores !*)

4. John Fane, esq. of Wormley, in Oxfordshire, a relation of the Earl of Westmoreland.

5. Francis Fane, esq. of Ogdon, in Essex, another relation, and brother of the preceding gentleman.

6. Edward Buckley Batson, banker, in London, and father-in-law of Mr. Henry Fane.

7. Charles Blair, esq. a West Indian gentleman, now residing at Whatcombe, in Dorsetshire, 35 miles from Lyme, who married the aunt of the present Earl of Westmoreland.

8. David Robert Mitchel, esq. of Dewlish, Dorsetshire, a relation of the wife of Mr. Henry Fane.

9. Sir William Lowther, of Cumberland, who married

married the sister, or some other relation, of the Earl of Westmoreland.

10. John Code, of or near South Molton, Devon.

11. Robert Clarke, of Lyme-Regis, merchant, the only person in the corporation that can be considered to be duly qualified, in all respects, to exercise the right of voting, in the choice of members of parliament for this borough.

12. John Warren, collector of the customs, in the port of Lyme.

13. Joseph Wallis, deputy comptroller of the port of Lyme.

14. William Peterson, surveyor of the port of Lyme, also supervisor and collector's clerk.

These last three persons were appointed to their respective posts by the Earl of Westmoreland, and may be depended on in all election contests; for if they should prove refractory, they would immediately be deprived of their employments: But the chief reason why these three persons were admitted into the corporation, is because there is a court of hustings held in the borough every Monday, where the presence of three capital burgesses is necessary, and none of the other members, except Mr. Clarke, could attend, on ac-

count of their distance from the borough, where they are to act as magistrates. Every second year the mayor is non resident, and then one of these gentlemen is his deputy.

The freemen are 42 in number, 11 only of which are inhabitants of Lyme, and of those 11, two are land waiters or tide waiters, and two others serjeants at mace, under the direction of the mayor for the time being. The other 31 are dispersed from the Tweed to the Land's End, and particularly in London, where about one third of them resides; so that if a contest was possible, the candidate must canvass his votes in every port of England, and it will be fortunate for him if he is not obliged to cross over to Ireland, to solicit the suffrage of one of the freemen, who has very lately been elected bishop of Cork. For the honour of religion, it is to be hoped, that the Reverend Prelate, as he has now a seat in the Irish House of Lords, will not interfere in the elections of English Commoners, especially when he considers that his only claim to the freedom of Lyme, arose from the circumstance of his being the Earl of Westmoreland's tutor at the University of Cambridge.

RIGHT OF ELECTION.—In the reign of Queen Mary,

Mary, and in most of the elections during the reign of Queen Elizabeth, the returns to parliament, were made by the mayor and burgeses, with *all* the inhabitants and commonalty, which was the original constitution of all the ancient boroughs in the kingdom. After this period, the inhabitants at large were deprived of their right, and the elections were made by the freemen and freeholders only; but these two orders of men were required to be residents. In the reign of Charles I. the freeholders also seem to have been excluded, and the representatives seem to have been chosen by the corporation and freemen only. During the protectorate of Cromwell, the inhabitants at large were again restored to their ancient right, but have never been admitted since, so that in the general representation they have been considered, to all intents and purposes, as aliens and strangers, unworthy the privileges of Englishmen. The contest then commenced between the freemen and freeholders. During the arbitrary reigns of Charles the II^d. and his brother James, the freemen, who being few in number, were more subject to controul than their more numerous opponents, almost invariably prevailed, as they had always the favour of the court:

But

But in the glorious reign of our immortal deliverer, king William, whose name ought always to be dear to Englishmen, the freeholders were again admitted in conjunction with the freemen, and continued to give their suffrages during the whole of the reign of Queen Anne, and part of that of George the 1st. The time at length arrived, when they too were for ever excluded, as their brethren, the inhabitants at large, had been before; for in the year 1727, the election was made by the capital burgessees and freemen only; but almost the whole of these were at the time inhabitants of the borough. Foreign freemen were afterwards introduced; and, as soon as the Fane family had established a footing, they began to out-number the inhabitant freemen; and as the borough was more and more monopolized, they became, as we have observed before, almost the whole constituent body of the corporation; for if the inhabitants had been still admitted freemen, in considerable numbers, they might not have been so easily commanded as the relations and dependents of the noble Earl, who at present directs who shall be the representatives of what is falsely called the *Borough of Lyme-Regis*, in as absolute and uncontrouled a manner as the most despotic prince

prince in Asia nominates the members of his Divan

ANCIENT REPRESENTATION---was as early as 23 Edward I.

CORPORATION.---The last charter was granted by William III. by which it is governed by a mayor, who is a justice of peace during his mayoralty and the year following; and in the third year he is both justice and coroner. Here also are a recorder, fifteen capital burgessees, two of whom are justices, a town clerk, and other officers.

RIGHT OF ELECTION.---There having been a contest, time immemorial, between the corporation and the freeholders of the borough, for the right of election; on the 21st of May, 1689, it was determined to be in the corporation and freeholders. On the 28th of February, 1727, it was resolved to be in the corporation. The same question has been twice agitated before committees of the house of commons, constituted under the Grenville act. In the first of these, Lionel Darell, esq. and Henry Harford, esq. were petitioners; when, upon hearing, it was determined by a committee of the House of Commons, that the right was in the corporation only; and

and that the Hon. Henry Fane, and David Robert Mitchell, esq. the sitting members, were duly elected. The right of the freeholders was again contested at a general election, 1784, and tried before a second committee, on the 15th of February, 1785, when Robert Wood, esq. and John Cator, esq. were petitioners, and the Hon. Henry Fane and the Hon. T. Fane were the sitting members.

The claims of each party were the same in both petitions; each contending for the right of election in the freeholders of the borough as well as the corporators; superadding to both the qualification of residents: but in both these cases, as in the remarkable one of Poole, the committees determined, that an usage of eighty years superseded the ancient right, which was proved to have been in the freeholders, the same as was proved to be in the commonalty of Poole. The capital burgesses make a certain number of freemen, resident or non-resident, who elect the members of parliament.

NUMBER OF VOTERS—31.

PATRON—Earl of Westmoreland.

WEYMOUTH

WEYMOUTH and MELCOMBE-REGIS.

POLITICAL CHARACTER.—These boroughs were the property of the famous Bubb Doddington, who was afterwards created Lord Melcombe; in whose celebrated diary, the history of these places form a complete account of the politics of the times, when Sir Robert Walpole, Lord Wilmington, Mr. Henry Pelham, Duke of Newcastle, Duke of Devonshire, and the late Mr. Pitt, were ministers. These boroughs then became the property of the late Mr. Tucker; from whom they descended to the late Gabriel Steward, esq. who is lately deceased. Being in possession of these boroughs, he had the lucrative office of paymaster of marines, which is worth 6000*l.* a year. This gentleman sold them to W. Pulteney, esq. the present possessor, for 63,000*l.*

Of the freehold houses which give the right of voting, a considerable part are leased for lives, or for long terms of years, under small reserved rents. The reversionary interest is granted by the proprietor to trust-holders, for the purpose of out-numbering the votes of those who have

freehold property in possession, in their own right. This is perhaps the only instance amongst all the contradictory rights of election, where votes are received and admitted in right of freehold property, of which the party is not to come into actual possession till after the expiration of five hundred or a thousand years.

ANCIENT REPRESENTATION.—Melcombe sent members to parliament in the reign of Edward III. which was before Weymouth had the privilege; and in the reign of Edward III. it was in so flourishing a state, that it was appointed a staple by act of parliament; but, for its quarrels with Weymouth, its privileges, as a port, were in the reign of Henry VI. removed to Poole: they were however restored to them by act of parliament, in the time of Elizabeth; and in the next reign they were confirmed, on condition that Melcombe and Weymouth should form but one corporation, and enjoy their privileges in common.

UNITED CORPORATIONS—consist of a mayor, a recorder, two bailiffs, several aldermen, the number of whom is uncertain; yet they send four members to parliament, as if they were distinct corporations. In Melcombe there is a good market-place and town-hall, where the members of
the

the corporation, residing in Weymouth, come to attend on public business.

RIGHT OF ELECTION.—There has been no resolution of the house as to the express right; but, upon the trial of a contested election in 1730, the counsel on both sides agreed to the following statement of the right being “in the mayor, “aldermen and capital burgesses, inhabiting in “the borough, and in persons seised in freeholds “within the borough, and not receiving alms.”

NUMBER OF VOTERS.—The numbers have been as low as 200, and as high as 600; but as they are now the property of an individual, their division is entirely at his pleasure.

RETURNING OFFICER—the mayor.

PATRON—William Pulteney, esq.

In the pension-list that was published in the reign of Charles II. is inserted the following paragraph:

“*Weymouth.*—Sir Winsten Churchil, now one “of the clerks of the green-cloth, proffered his “own daughter to the Duke of York, and has “got in boon £.10,000: has published a print, “that the king may raise money without parlia- “ment.”

BRIDPORT.

BRIDPORT.

The corporation, and some of the inhabitants, who possess the right of election in this borough, are in a great degree independent, but even here, corruption has too frequently prevailed. For though about one half of the electors are composed of men of respectability, whose suffrages have been never known to be influenced, yet the other part, composed of the inferior house-keepers, always expect to receive a *douceur* at every election. The gentlemen who are returned, are obliged to spend fifteen hundred or two thousand pounds each, in entertainments, and in giving some testimony of their gratitude to the needy electors. On some occasions the gratuity has amounted to forty pounds, at others to only twenty to each voter.

The memory of the late Mr. Sturt, who was patron of this borough, and member for the county, is held in high esteem amongst the electors, for though he did not succeed at one election, in getting his friend returned, he was equally liberal in rewarding the poor voters, whose favors he had courted, as he had been upon more fortunate

fortunate occasions. Mr. Charles Sturt, his son, has still a partial influence in the borough, and may by a little exertion recover the whole.

In the reign of Edward the Confessor, this town consisted of 120 houses; but 20 of these were ruinous in the reign of William the Conqueror. Leland says it was, in his time, a very large town, and that its chief street lay from east to west, and was crossed by another handsome street. Bridport was made a borough by Henry III. and by its charter was leased to the inhabitants in fee-farm, for a small quit-rent in the exchequer, collected by the bailiffs of the town, and payable at Michaelmas.

ANCIENT REPRESENTATION.—This town sent members 23 Edward I.

CORPORATION.—It was incorporated by Henry VIII. and afterwards by Elizabeth. By a charter of James I. two bailiffs were to be chosen annually by the capital burgeses, who were to be fifteen in number, including the two bailiffs; and the corporation was empowered to choose a recorder and town-clerk, who, with the bailiffs in office, and the two preceding bailiffs, were to be justices of the peace. By this charter, the corporation were allowed to build a prison, to

have a common seal, and to hold lands and tenements. The bailiffs were to have all fines; to have two serjeants to carry maces before them, with other privileges.

RIGHT OF ELECTION.—*April 2, 1628. Resolved*—"That the commonalty in general
"of the borough of Bridport, *in com. Dor-*
"set, ought to have votes in the election of
"burgesses for parliament."

Resolved—"That it is a void election in re-
"spect of the want of warning to the com-
"monalty"

May 5, 1715. Resolved—"That it is in all the
"inhabitants not receiving alms."

May 7, 1715.—On the further hearing the merits of the election for the borough of Bridport, in the county of *Dorset*,

Resolved—"That the petitioner be admitted
"to give evidence in relation to the par-
"tiality of the bailiff in the late election
"of members to serve in parliament for the
"borough of Bridport."

Mr. Arthur Pain being called,

The petitioner's council objected against his being examined, for that he had been charged by the petitioner's evidence with having (as agent

for Mr. Strangeways) distributed money and corn to voters.

And the question being put, that the counsel for the fitting member be admitted to examine Arthur Paine, touching William Pierce being of full age, at the time of the last election for the borough of Bridport;

It was passed in the negative.

The counsel for the fitting member examined several witnesses, in relation to wheat given by the family of Strangeways, whether the same was an usual charity as they insisted, or bribery, as the petitioner's counsel insisted?

And John Tucker being called, &c.

And the question being put, that Tucker having been concerned in the distributing of wheat to the inhabitants of Bridport, before Christmas last, be admitted to be examined as a witness in this cause;

It passed in the negative.

March 2, 1762. Resolved—"that the words
"commonalty in general, extend only to inhabitants paying scot and lot.

NUMBER OF VOTERS—are about 160.

RETURNING OFFICERS—the bailiffs.

PATRONS—Charles Sturt, esq. one member.

SHAFTESBURY.

This borough consists of about four hundred houses, two hundred of which are the property of Hans Wintrop Mortimer, esq. sixty belong to Mr. Bryant, Clerk of the papers at the King's Bench Prison; thirty to Paul Benfield, esq. and about one hundred are divided amongst individuals in the town. This borough has displayed the system of corruption in high colouring, not that we believe it more guilty of bribery and illicit practices, than every other borough in the kingdom, but that it has been less cautious in carrying those measures into execution.

The history of Punch, which we shall report at large from the Journals of the House of Commons, and the scenes of perjury and corruption which it developes, are but innocent levities when set in opposition to the enormities which prevailed at the last election.

Mr. Mortimer, who owns more than half the borough, has, for the last twenty years, been considered as its Patron, and had of course the common application from the Treasury for the purchase

purchase of the borough previous to the last election, but not accepting the terms which were offered him, two ministerial candidates were sent down to oppose his interest, and Mr. Whitaker, the late Recorder, who is an attorney in Shaftesbury, and had hitherto acted as Mr. Mortimer's agent, was *prevailed* on to undertake the management of the opposition to the interest of his late employer.

Mr. Mortimer united his interest with Mr. Bryant, and opposed this ministerial nomination; but when the election came on, he had the mortification of seeing most of his tenants *had been persuaded* by Mr. Whitaker to vote against him.

At the close of the poll the numbers were, for

Charles Duncombe, esq.	—	224
------------------------	---	-----

William Grant, esq.	—	224
---------------------	---	-----

H. W. Mortimer, esq.	—	67
----------------------	---	----

William Bryant, esq.	—	67
----------------------	---	----

Mr. Whitaker, in reward for the services he rendered government upon this occasion, was, very soon after the election, appointed Receiver-General of the Stamp-duties for the county of Dorset, a place worth £600 per annum.

CORPORATION—consists of a mayor, twelve aldermen, by charter of Elizabeth, and confirmed by James I. and Charles II.

RIGHT OF ELECTION.—*Feb. 29, 1695. Resolved*—"That the right of electing members to serve in parliament for the borough of Shaftesbury, is not only in the mayor and burgesses of the said borough."

II. Resolved—"That the right of electing members to serve in parliament for the said borough of Shaftesbury, is only in the inhabitants of the said borough, paying scot and lot."

WITNESSES.

April 28, 1715.—At the further hearing of the merits of the election for the borough of Shaftesbury, the counsel for the petitioners proceeded to give evidence, touching the corrupting of votes for the sitting members, and also touching such persons as had a right to vote, but were refused to be admitted for the petitioners.

After which, the sitting members counsel proceeded to call witnesses to justify the voters objected against by the petitioners counsel.

And *Edward Grimstead, sen.* being called in to prove the qualification of *Richard Hayter*, who had

had been objected against by the petitioners counsel to vote at the said election;

And the petitioners counsel objecting against his being examined as a witness, in regard that the said *Edward Grimstead* was charged by the petitioners evidence with having endeavoured to corrupt some persons to vote for the sitting members;

Resolved—"That the counsel for the sitting
" members be admitted to examine *Edward*
" *Grimstead, sen.* as to *Richard Hayter's* being
" qualified to vote at the last election of
" members to serve in parliament for the
" borough of Shaftesbury.

Robert Brickle being called to prove the qualification of *Abraham Buckland*, who had been objected against by the petitioners counsel, in regard that he had been charged by the petitioners evidence with having endeavoured to suborn a person to give false evidence to this house;

And a motion being made, and the question being put, that the counsel for the sitting members be permitted to examine *Robert Brickle* as to *Abraham Buckland's* being qualified to vote in the late election;

It passed in the negative.

A CASE OF BRIBERY.

At the general election, 1774, the late Sir Thomas Rumbold, bart. and the present Sir Francis Sykes, bart. being returned to represent this borough in parliament, a petition was presented by Hans Wintrop Mortimer, esq. complaining that the two sitting members, by themselves and their agents, had been guilty of many gross and notorious acts of bribery and corruption, and that the returning officer had admitted persons not duly qualified to vote for the sitting members, and had rejected the legal votes of others who had tendered them for the petitioner.

EVIDENCE WAS GIVEN.

That money, to the amount of several thousand pounds had been given among the voters, in sums of twenty guineas a man; and the persons who were intrusted with the disbursement of this money, and who were *chiefly the magistrates of the town*, devised very singular and very absurd contrivances,

trivances, in hopes of being thus able to conceal through what channel it was conveyed to the electors. A person concealed under a ludicrous and fantastical disguise, and called by the name of *Punch*, was placed in a small apartment, and through a hole in the door delivered out to the voters parcels, containing twenty guineas each: upon which they were conducted to another apartment in the same house, where they found a person called *Punch's secretary*, who required them to sign notes for the value received: these notes were made payable to an imaginary character, to whom was given the name of *Glenbucket*. Two of the witnesses swore that they had seen *Punch* through the hole in the door, and that they knew him to be Mr. Matthews, an alderman of the town, and, as the counsel for the petitioner had endeavoured to prove, an agent for the sitting members.

The counsel for the sitting members proposed to call *Matthews* himself to prove an *alibi*; but the committee resolved not to admit the evidence.

On the part of the petitioner, several witnesses were called to prove declarations of voters, who,

at

at the poll, had taken the bribery-oath, that they had received Punch's money.

The whole of the evidence may be seen in the report, as it was printed for the use of the house.

On Tuesday the 25th of April, 1775, the committee, by their chairman (*Sir Geo. Yonge, bart.*) informed the house that they had determined—

First, That the two sitting members were not duly elected;

Secondly, That *Hans Winthrop Mortimer, esq.* the petitioner, was duly elected, and ought to have been returned.

Sir George Yonge also reported, from the committee, that they had come to several resolutions, which they had directed him to report to the house; and he accordingly read the report in his place, and afterwards delivered it in at the table, where the same was read. The resolutions of the committee were as follow;

Resolved, That it appears to this committee,
 “ that there was the most notorious bribery
 “ and corruption at the last election of
 “ members to serve in this present parliament
 “ for the borough of Shaftesbury, in the
 “ county of Dorset.”

Resolved, “ That it is the opinion of this committee,
 “ mittee,

"mittee, that the said bribery and corruption require the most serious consideration of parliament."

The consideration of the report was adjourned until Thursday the 4th of May; and an order made, that the speaker should not issue his warrant for a new writ for the vacant seat until after that day.

On the 4th of May several parts of the minutes of the evidence taken before the committee being read, both of the resolutions of the committee were unanimously agreed to by the house; and it was ordered, that the speaker should not issue his warrant for a new writ until the house had proceeded to take the minutes of the examination before the committee into further consideration. Then passed the two following resolutions:

Resolved, "That it appears to this house, that
" it is too late to proceed to take the said
" minutes into further consideration in this
" sessions of parliament."

Resolved, unanimously, "That it will be highly
" expedient that the house do proceed to
" take the same into consideration as early
" as

“as possible in the next session of parliament.”

And it was ordered, “That it be an instruction
 “to the gentlemen who are appointed to
 “prepare and bring in a bill to explain and
 “amend an act made in the 10th year of
 “the reign of his present majesty, entitled,
 “An act to enable the speaker of the house
 “of commons to issue his warrants to make
 “out new writs for the choice of members
 “to serve in parliament, in the room of
 “such members as shall die during the
 “recess of parliament.”

“That they do make provision in the said
 “bill, that no writ be issued for the borough
 “of Shaftesbury by virtue of the said act
 “during the next recess of parliament.

That very day leave had been given to bring in a bill, which was afterwards passed into an act, 15 Geo. III. c. 36; and it thereby provided

That, if a vacancy happen for Shaftesbury during the recess, the speaker shall not be enabled to issue a new writ; “because that
 “might tend to defeat those measures which
 “it may be proper to take in consequence
 “of

“ of the said notorious bribery and corruption.”

On the 2d of November following, which was the 8th day of the ensuing session, all the resolutions of the house relative to this cause were read. The house then came to a resolution, that they would, on the 1st of February, 1776, take the minutes of the examination before the committee into consideration.

At the same time orders were made severally, that thirteen persons therein named should attend the house on that day.

And the following order was made, “ that Mr. Speaker do not issue his warrant for the making out a new writ before the 1st day of February 1776.”

The above order was afterwards discharged, for taking the same into consideration on the 14th of the same month.

And a similar order was made for the attendance of the witnesses on that day.

After a great debate, on the appointed day, “ the house proceeded to take into consideration “ the minutes of the examination.” It was then,

Resolved, nemine contradicente, “ That it appears

"pears to this house, by the minutes of the
 "select committee appointed to try the
 "merits of the election of members to serve
 "in parliament for the borough of Shaftes-
 "bury, and which have been laid before
 "this house, That there was the most no-
 "torious subornation of perjury practised,
 "and the most corrupt and wilful perjury
 "committed, at the last election for members
 "to serve in parliament for the borough of
 "Shaftesbury."

A motion was made; and the question being
 proposed, "That it appears to this house, from
 "the said minutes, that *Francis Sykes, esq.* was a
 "principal promoter and suborner of the said
 "corrupt and wilful perjury;"

A motion was made; and the question being
 put, "That the further consideration of the said
 "minutes be adjourned until this day fortnight,
 "the 28th day of this instant February;"

It passed in the negative.

Resolved, "That it appears to this house, from
 "the said minutes, that *Francis Sykes, esq.*
 "was a principal promoter and suborner of
 "the said corrupt and wilful perjury."

Resolved, "That it appears to this house, from
 "the

“ the said minutes, that *Thomas Rumbold, esq.*
 “ was a principal promoter and suborner of
 “ the said corrupt and wilful perjury.”

The same resolutions passed severally against
John Good, William Bennet, William Armstrong,
Matthew Merefield, William Pope, and Thomas
Hannam.

Ordered, “ That the attorney-general do forth-
 “ with prosecute the said Francis Sykes,
 “ Thomas Rumbold, John Good, William
 “ Bennet, William Armstrong, Matthew
 “ Merefield, William Pope, and Thomas
 “ Hannam, for the said offence.”

Ordered, “ That leave be given to bring in a
 “ bill to disfranchise and incapacitate certain
 “ persons, therein to be mentioned, from
 “ voting in elections of members to serve in
 “ parliament, and for preventing bribery
 “ and corruption in the election of members
 “ to serve in parliament for the borough of
 “ Shaftesbury, in the county of Dorset; and
 “ that Sir George Yonge, Mr. Hungerford,
 “ Mr. W. Drake, jun. Mr. Dashwood, Mr.
 “ Annesley, Sir George Robinson, Mr. Geo:
 “ V. Vernon, Mr. Abel Smith, Mr. Asheton
 “ Curzon, Mr. Sutton, Mr. Holt, Sir Geo.
 “ Duntze,

"Duntze, Sir Richard Worfley, Lord Guernsey, Mr. Geo. Clive, Mr. Dunning, and Mr. Serjeant Adair, do prepare and bring in the same."*

Feb. 21, 1776. Sir George Yonge presented a bill of incapacitation, agreeably to the order of the 14th, which was received, read, and ordered to be read a second time on the 4th of March: and in the mean time it was ordered to be printed, and copies thereof, and of the order for the second reading, to be served on the parties named in it, leaving such copies at the last place of their abode, to be deemed good service.

Feb. 28, 1776. A petition of Thomas Rumbold, esq. was presented to the house, pleading his innocence, and praying that the house would grant him such relief as they should think meet.

A motion was then made, "That the order to the attorney-general for prosecuting Thomas Rumbold, esq. for the said offence be discharged."

After a very warm debate, and the question being put, it passed in the negative, - by 169 against 142.

* Journals.

* A motion

A motion was then made; and the question being put, "That the petition of Thomas Rum-
"bold be referred to the committee to enquire
"into facts, and report the same, with their
"opinion thereupon, to the house;"*

This likewise passed in the negative, by 143
against 136.

A similar petition from Mr. Sykes shared the
same fate, without a division.

March 1. A petition of one Charles Pinhorn,
of the borough of Shaftesbury, was presented,
setting forth, that he was declared, by the bill of
incapacitation then depending, to be disabled
from voting at any election for members to serve
in parliament, and alledging that, in the report
from the committee, he was not charged with
bribery, or attempting any persons whatsoever.
He prayed therefore that he might be heard by
his counsel against that part of the bill respecting
him.

The same day was presented another petition
of certain persons, on behalf of themselves, ob-
serving, that they were disabled, by the bill, from
ever voting for members; that they conceived
themselves to be thereby greatly aggrieved; and

* Journals.

VOL. I.

P

praying

praying that they might be heard by their counsel against the bill, and that it might not pass into a law.

It was ordered, that these petitions should be on the table until the second reading of the bill; and that then the petitioners, if they should think proper, might be heard by their counsel against it.

After several adjournments of the question, the house resolved itself into a committee on the bill on the 18th of March following, the Hon. George Venables Vernon being chairman; and after some time spent therein, the speaker resumed the chair, and Mr. Vernon reported,—
“That they had examined several witnesses, and
“had made some progress,”

After some adjournments, the house again resolved itself into a committee, on Friday the 3d of May, to consider of the said bill.

And the house continuing, in this manner, to adjourn to the 8th of the same instant, and after the proceedings of that day, relative to the borough of Hindon, the order of the house, to proceed on the incapacitation bill for Shaftesbury, *was ordered to be discharged.*

As soon as the order for further proceeding

was discharged, it was resolved, as in the case of Hindon, *That the speaker should issue his warrants for new writs to supply the vacancies for both places.*

A second petition being presented from Mr. Rumbold, in the same terms as the first, and a similar one from Mr. Sykes, *the orders for prosecuting them was discharged.*

And the orders for prosecuting Good, Bennet, Armstrong, Merrefield, Pope, and Hannam, were also discharged.

While these proceedings were depending in the House of Commons, Mr. Mortimer, who had been determined to be duly elected, brought actions against Mr. Sykes on the stat. 2 George II. c. 24, for 26 acts of bribery, charged to have been committed previous to the election. The causes were tried at the assizes at Dorchester, on the 27th of July, 1776, before Sir James Eyre; and the plaintiff had a verdict for 22 penalties, amounting to £11,000.

Mr. Paul Benfield is now chosen recorder of this borough, upon the resignation of Mr. Whitaker, and member in the room of Mr. Grant, and by uniting the lead of the corporation, his property in the borough, and a mortgage upon that of Mr. Mortimer, is now become the Patron.

NUMBER OF VOTERS—292.

RETURNING OFFICER—the mayor.

PATRON—Paul Benfield, esq.

WAREHAM.

POLITICAL CHARACTER.—The honour of representing this borough, which consists of not more than 120 houses, was for a long time contested between the Pitt family and Mr. Drax, of Charborough, the former of whom were patrons of the living, and possessed of a considerable part of the freeholds, the latter was lord of the manor. Here the modern system of sham conveyances was practised in its fullest extent. Houses were divided into many tenements, and the whole market place parcelled out in different allotments, so that the votes were multiplied without number. On one occasion the contest was so very violent, that all the stamps in the county, were consumed in the mock transfers of property, of which a space of ground, scarcely affording room for a grave, was frequently the subject, and a supply was necessary to be sent for from the metropolis. The expense of contention increased with the votes, so that the fortunes of both

both parties appeared in danger. At length, for the purpose of putting an end to ruinous litigations, the two contending parties, either by express agreement, or from an accidental concurrence of circumstances, parted with the whole of their voting property to one person. Mr. Calcraft, the late army agent, an account of whose life is given in the Memoirs of Miss Bellamy, was the fortunate purchaser, who has transmitted his interest to his son. The inhabitants, like so many Russian peasants, have quietly submitted to the transfer, being incapable of breaking the fetters with which a long prescription has shackled them.

ANCIENT REPRESENTATION.—Wareham returned members to parliament, 30, 33, and 35 Edward I. and 5 and 7 Edward II. but it made no other return until 2 Edward III.

CORPORATION,—The present charter, which was granted by Queen Anne, places the town under the government of a mayor, a recorder, six capital burgessees, and twelve assistants. By virtue of this establishment, the mayor, recorder, and preceding mayor, are constituted justices of the peace; and the two first being of the quorum, are empowered to hold their own sessions.

The inhabitants say, that Wareham rose out of the ruins of Stowborough, now a village on the other side of the Frome, in the isle of Furbeck, and is reputed to be the most ancient borough in the county. It had once no less than 17 churches which are now reduced to 3.

RIGHT OF ELECTION.—*Jan. 15, 1661. Resolved,*

“ That the right of election for the borough
“ of Wareham, in the county of Dorset, is in
“ the mayor, magistrates, and freeholders,
“ and all who pay scot and lot.”

Jan. 19, 1747. Resolved, “ That the right
“ of election for the borough of Wareham, in
“ the county of Dorset, is only in the mayor
“ and magistrates of the said borough, and
“ in such of the inhabitants as pay scot and
“ lot, and in the freeholders of lands and
“ tenements there, who have been, *bonâ fide*,
“ to their own use, in the actual occupation,
“ or in the receipt of rents and profits of
“ such lands and tenements, for the space of
“ one whole year, next before the election,
“ except the same come to such freeholders
“ by descent, devise, marriage, marriage-
“ settlement, or promotion to some benefice
“ in the church.”

NUMBER

NUMBER OF VOTERS—120 nominally, actually only one.

RETURNING OFFICER—the mayor.

PROPRIETOR—John Calcraft, esq.

CORFE CASTLE.

POLITICAL CHARACTER.—This borough, consisting of about 30 thatched cottages, is the joint property of Henry Banks, esq. of Kington Hall, and John Bond, esq. of the Grange, both in the county of Dorset. Mr. Calcraft, the proprietor of Wareham, had some part of this borough, which he exchanged with Mr. Banks for an equal number of freeholds in his own borough of Wareham.

When this town was made a borough, is uncertain; but we learn from history, that it had very great privileges; for those who had been mayors were called barons. At present, the mayor for the time being, and of the preceding year, are justices of the peace.

It never sent members to parliament before 14 Elizabeth, who granted it this privilege by charter.

CORPORATION.—This borough was incorporated as above, by Elizabeth, who caused it to

be governed by a mayor, and eight burgeffes, called barons.

RIGHT OF ELECTION—April 6, 1669, *appeared* to be in lessors for years, paying scot and lot, and also in such persons as had the freehold in reversion upon such leases for years.

March 2, 1770, appeared to be in such persons as have an estate of inheritance, or a lease for years, determinable upon life or lives, paying scot and lot.

Jan. 21, 1718, appeared to be in such persons as are seised in fee, in possession or reversion of any messuage, tenement, or corporeal hereditament, in the borough; and in such persons as are tenants for life or lives; and for want of such freehold in tenants for years determinable upon life or lives, paying scot and lot, and in them and in no others.

NUMBER OF VOTERS—14 resident, and about 30 non-resident.

RETURNING OFFICER—the mayor.

PROPRIETORS—Henry Banks, esq. and John Bond, esq.

POOLE.]

POOLE.

POLITICAL CHARACTER.—The patronage of administration, with the assistance of one or two leading men in the corporation, have generally contrived to rank this town amongst what are termed treasury-boroughs: but the question of right is not finally settled; for the inhabitant householders, claiming under the authority of ancient right, and the confirmation of charters possessed, have opposed an usage which has been exercised by the burgessees for eighty years. The question of right, therefore, remains to be decided on a petition now before the house, and which is appointed to be heard on the 3d of May next.

ANCIENT REPRESENTATION.—This town, according to Leland, was a poor village inhabited by fishermen, and a hamlet or member of the parish-church of Canford; but within memory it has increased in handsome buildings, and become a place of good trade. The increase of this town is owing to the decay of Wareham, which lost its harbour for want of depth of water;

in

in consequence of which, the ships resorted to Poole, and thus have rendered it, by degrees, one of the most considerable ports in the west of England; and several of its merchants have represented it in parliament. This town sent members so early as Edward III. and by a charter of Elizabeth it was made a county of itself, with the privilege of a sheriff, keeping a court to determine all causes, both civil and criminal, with several other immunities; such as the right of trying malefactors in its own jurisdiction, by a commission from the crown, which saves the expence of entertaining the judges on the circuit.

CORPORATION.—This borough is governed by a mayor, a recorder, aldermen, a sheriff, a coroner, a town-clerk, and an indefinite number of burgesses. The mayor, who is admiral within the liberty, is chosen from among the burgesses; after he has passed the chair, he is always an alderman; and the first year of his mayoralty, he is senior bailiff, and a justice of the peace. From among the aldermen are annually chosen three justices, the mayor and recorder being of the quorum; and the election of the freemen or burgesses

[gesses must be made by the mayor, four aldermen and twenty-four burgeses.

RIGHT OF ELECTOIN.—Poole was possessed of the inestimable privilege of choosing their members by the *commonalty* or inhabitants at large, in consequence of the charter granted by Elizabeth. Poole enjoyed the privilege before by immemorial usage; but by the intrigues and contrivance of the select part of the corporation, consisting of about one hundred resident and non-resident burgeses, the right has been wrested from the inhabitants, and assumed exclusively by the former. It is therefore now disputed between the burgeses and inhabitants.

The question of right has been *four times* agitated in the House of Commons: first upon the petition of Thomas Chaffin, esq. against Sir Nathaniel Napper, who had been returned by the mayor, aldermen, and burgeses; which was determined the 9th of February, 1688-9, when the committee reported to the house by their chairman,

“That the matter in question was, Whether
“the right of election be in the mayor and bur-
“geses *only*, or in the mayor, burgeses, and
“commonalty, who pay scot and lot.

And

in consequence of which, the ships resorted to Poole, and thus have rendered it, by degrees, one of the most considerable ports in the west of England; and several of its merchants have represented it in parliament. This town sent members so early as Edward III. and by a charter of Elizabeth it was made a county of itself, with the privilege of a sheriff, keeping a court to determine all causes, both civil and criminal, with several other immunities; such as the right of trying malefactors in its own jurisdiction, by a commission from the crown, which saves the expence of entertaining the judges on the circuit.

CORPORATION.—This borough is governed by a mayor, a recorder, aldermen, a sheriff, a coroner, a town-clerk, and an indefinite number of burgessees. The mayor, who is admiral within the liberty, is chosen from among the burgessees; after he has passed the chair, he is always an alderman; and the first year of his mayoralty, he is senior bailiff, and a justice of the peace. From among the aldermen are annually chosen three justices, the mayor and recorder being of the quorum; and the election of the freemen or burgessees

[gesses must be made by the mayor, four aldermen and twenty-four burgeses.

RIGHT OF ELECTIOIN.—Poole was possessed of the inestimable privilege of choosing their members by the *commonalty* or inhabitants at large, in consequence of the charter granted by Elizabeth. Poole enjoyed the privilege before by immemorial usage; but by the intrigues and contrivance of the select part of the corporation, consisting of about one hundred resident and non-resident burgeses, the right has been wrested from the inhabitants, and assumed exclusively by the former. It is therefore now disputed between the burgeses and inhabitants.

The question of right has been *four times* agitated in the House of Commons: first upon the petition of Thomas Chaffin, esq. against Sir Nathaniel Napper, who had been returned by the mayor, aldermen, and burgeses; which was determined the 9th of February, 1688-9, when the committee reported to the house by their chairman,

“That the matter in question was, Whether
“the right of election be in the mayor and bur-
“geses *only*, or in the mayor, burgeses, and
“commonalty, who pay scot and lot.

And

And that thereupon the committee had agreed to two resolves.

1st, " That it is the opinion of the committee,

" That the right of election of burgesſes

" to ſerve in this preſent convention for

" the town and county of Poole, is in the

" mayor, burgeſſes, and commonalty of the ſaid

" town and county, who pay ſcot and lot.

2d, " That it is the opinion of this committee,

" That Thomas Chaffin, eſq. is duly elected

" a burgeſs to ſerve in this preſent conven-

" tion for the town and county of Poole."

A debate ariſing in the houſe thereupon; the queſtion being put, " That this houſe do agree
" with the committee, that Thomas Chaffin, eſq. is
" duly elected to ſerve in this preſent convention
" for the town and county of Poole;"

It paſſed in the negative.

Reſolved, " That Sir Nathaniel Napper, bart.

" is duly elected a burgeſs to ſerve in this

" preſent convention for the town and county

" of Poole."

Here was a poſitive reſolution of the committee, as to the right of the commonalty who pay ſcot and lot, negatived by the houſe; and the excluſive right of the mayor and burgeſſes, only implied

plied by the house seating Sir Nathaniel Napper. This was not uncommon, previous to the existence of the Grenville act. The inconsistent and contradictory decisions of the house, and which the statute of 2 George II. was enacted in vain to prevent, were the cause of establishing the present mode of trying controverted elections.

The inhabitants of Poole thought this new judicature a proper tribunal for vindicating and ascertaining their lost right: and we accordingly find them embrace the first opportunity of appealing to its justice.

At the general election in 1774, Sir Eyre Coote, and Joshua Mauger, esq. were returned to parliament by the mayor and burgeses; but the inhabitants having tendered their votes at the poll for the right hon. Charles James Fox and John Williams, esq. and these being rejected by the sheriff, they petitioned the house against the return of the former.

This petition came to be heard on the 24th of March, 1775, before a committee constituted under the Grenville act; when the counsel for the petitioners contended that, by the general rule of law, where there is no original charter, and no prescriptive usage to the contrary, the right of election

election is in the inhabitant householders; that this rule is recognised in a variety of cases, in Glanville's book; particularly in those of Cirencester, p. 107, and Pomfret, p. 142, and in Whitlock's Commentary, vol. i, p. 500. In the case of Cirencester, the entry in the journals is in these words:

"That where there is no custom nor charter for election, there the inhabitant householders ought to make the election."

That the ancient and proper sense of the word "burgenses" or "burgesses," is "the inhabitants of a borough," is proved by the following authorities:—Spelman's Glossary, title, "burgenses;" Whitlock's Commentary, vol. i, p. 500, vol. ii, p. 95; Madox's Firma Burgi, p. 2, No. 111. And that the house has so understood the word, both in ancient charters and in returns, appears from the case of Abingdon, 23 May, 1660, and that of Aldborough, in Yorkshire, 17 May, 1690.

From all the ancient charters granted to the corporation of Poole, it appears, that, down to that of the 10th of Elizabeth, "burgenses" in those charters means "inhabitants."

The ancient returns to parliament from this

TOWN

town until that period, are all in the name of the mayor and burghesses.

A complete body of evidence was adduced in support of this case, and to prove the claim of the inhabitants, as part of the corporation, to turn out cattle, and cut turf on Carford heath, in right of their original charter, granted by Longespee, earl of Sarum.

A similar claim, under a second charter, granted by William de Montacute, earl of Salisbury, 10th of June, 1371; and a third, granted by Thomas de Montacute, earl of Salisbury, dated the 8th of February, 1411, confirming the two preceding ones.

Also a royal grant of Henry VI. in the eleventh year of his reign, to the mayor and burghesses of Poole, that Poole shall be a free port, &c.

A fifth, dated the 1st of July, 31st of the same king, 1454, grants to the mayor, burghesses, and inhabitants, a weekly market, and two annual fairs;—the two last by authority of parliament.

A sixth, dated 20 January, 1460, 1 Edw. IV.

A seventh, dated 20 June, 3 Henry VIII.

An eighth, dated 12 Henry VIII.

A ninth, dated 4 September, 18 Hen. VIII.
1527, Arthur Plantagenet, viscount Lesley, vice-
admiral

admiral; reciting that the deputy admiral and his commissary-general had inspected all the royal grants and privileges, and the former grants of old, and the grant of William de Montacute, to the *mayor, brethren, bailiffs, burgeses, and inhabitants*, and also the late confirmation of Henry VIII. by which they are excepted from the jurisdiction of the admiral of England.

The returns had also been made by the commonalty upon various occasions, previous to the charter of Elizabeth: that the town-arms and common seal belonged to the inhabitants, and that therefore every instrument sealed with the common seal is the instrument and act of the inhabitants, and prove that the right of election, which by the common law was in the inhabitant householders, was, in fact, enjoyed and exercised by them.

The twelfth charter of the borough, which was granted the 23d of June, 1568, the 10th of Elizabeth, and which is the charter under which the corporation now act, was produced, and seems to be decisive as to the right of the inhabitants.

“ It recites the charter of 3 Henry VIII. and
 “ those therein recited, and ratifies and confirms
 the

" the immunities granted by them to the mayor,
 " bailiffs, burgesſes, and inhabitants, as the ſaid
 " mayor, bailiffs, *burgesses*, and *inhabitants*, from
 " the time of making the ſaid charters, were ac-
 " cuſtomed to hold and enjoy them. It recites
 " that the mayor, bailiffs, burgesſes, and inha-
 " tants, time out of mind, had enjoyed the
 " ſaid privileges, &c. and others, as well by
 " preſcription, as by reaſon of the aforeſaid
 " grants, but that the ſaid mayor, bailiffs, *bur-*
 " *gesſes*, and *inhabitants*, had not enjoyed them
 " for many years paſt, to the great detriment of
 " the ſaid town, by which it was threatened with
 " ruin, and the good government of the ſame was
 " almoſt extinct.

" That thereupon the *burgesses* and *inhabitants*
 " of Poole had petitioned the queen, that ſhe
 " would make, reſtore, and create the ſaid bur-
 " geſſes and inhabitants into another body cor-
 " porate and politic.

" That ſhe therefore, &c. (hoping that, if the
 " inhabitants of the town aforeſaid, and their
 " ſucceſſors, ſhould enjoy by her grant greater
 " honours, liberties, and privileges, they will
 " think themſelves bound, &c.) grants that the
 " ſaid town of Poole ſhall be, for ever after, a

" free town of itself, and be incorporated ; to
" consist of one mayor, two bailiffs, burgeses,
" and commonalty (in the original *communitas*) ;
" and that they the said mayor, bailiffs, burgeses,
" and commonalty, be one body politic, by the
" name of the mayor, bailiffs, burgeses, and
" commonalty of the town of Poole, &c.

" That the burgeses of the town aforesaid may
" elect every year (on a day fixed by the charter)
" a fit and discreet burges to be mayor, and two
" other burgeses of the said town to be bai-
" liffs, &c.

" That the said mayor, bailiffs, burgeses, and
" commonalty, and their successors, and the inha-
" bitants and residents within the said town, be
" in no sort liable to be bound by any precepts
" of the stewards, marshal, or clerk of the mar-
" ket of the household.

" She grants a staple to the said mayor, bai-
" liffs, and commonalty, and their heirs and suc-
" cessors ; and that the said burgeses may choose
" out of themselves, annually, a mayor, and two
" constables of the staple.

" That the said mayor, bailiffs, burgeses, and
" commonalty, and their heirs and successors,
" may annually elect and constitute (on a day
" fixed

“ fixed) out of the inhabitants of the town and
 “ suburbs thereof, or out of others, all manner
 “ of brokers, &c.

“ She then grants to the said mayor, bailiffs,
 “ burgeses and *commonalty*, and their successors,
 “ that the town aforesaid, with the suburbs,
 “ places and precincts aforesaid, be, for ever
 “ afterwards, one entire *county*, incorporated in
 “ deed and name, and distinct, and altogether
 “ separate from the county of Dorset, by the
 “ name of the town of Poole.

“ That the said mayor, bailiffs, burgeses, and
 “ *commonalty*, shall have in the said town, one
 “ sheriff; the burgeses of the said town, and
 “ their successors, in every year (on a day fixed)
 “ to elect one discreet person out of their fellow-
 “ burgeses (*com. burgenses*, in the original) for
 “ the sheriff of the said town.

“ She grants to the mayor, bailiffs, burgeses,
 “ and *commonalty*, a weekly court to be held in
 “ the guildhall, before the mayor, and senior
 “ bailiff.

“ To the mayor, bailiffs, burgeses, and *com-*
 “ *monalty*, that the mayor for the time being,
 “ and one skilled in the law, and also four bur-

“ gesses to be chosen annually out of the discreet
“ burgeses (on a day fixed) shall be keepers
“ (*i. e.* justices) of the peace.

“ To the mayor, bailiffs, burgeses, and *commonalty*, view of frank-pledge, &c.

“ To the the mayor, bailiffs, burgeses, and *commonalty*, and their successors, that none of them,
“ nor *any inhabitant* or resident within the town,
“ &c. shall be impannelled against his will, on
“ any assize, jury, or inquisition, &c. without the
“ town of Poole.

“ That the inhabitants, burgeses, and *commonalty* of the town of Poole, may have their
“ guild, and all their liberties, jurisdictions, &c.
“ by land and by sea, in the same manner with
“ the mayor, bailiffs, and burgeses of the town
“ of Southampton, and all other liberties, &c.
“ which the mayor, bailiffs, *burgesses* and *inhabitants*, heretofore had or used to have.

“ That the said mayor, bailiffs, burgeses and
“ *commonalty*, shall have the return of all writs
“ within the town.

“ That the said mayor, bailiffs, burgeses, and
“ *commonalty*, shall create out of themselves,
“ coroners, &c.

“ That

“ That none of the said mayor, bailiffs, bur-
 gesses, and *commonalty*, inhabiting within the
 “ said town, shall be impleaded without the
 “ said town, except for such trespasses as shall be
 “ done against the queen and her heirs.”

The thirteenth charter, bearing date the 24th
 of November, 19 Charles II. contains a grant
 of all former privileges, and recites that the town
 of Poole had been of old incorporated by the
 name of mayor, bailiffs, burgeses, and com-
 monalty, and that the burgeses and *inhabitants*
 thereof, as well by that name as by other names,
 have used and enjoyed various privileges, &c.

That commonalty, in these charters, meant in-
 habitants, is clear, because they were granted to,
 and at the request of, the inhabitants; because it
 confirms all former grants to the inhabitants;
 and because the commonalty are, throughout,
 distinguished from the burgeses.

In the profligate reign of Charles II. this
 town, in common with the city of London,
 and most other corporations, came under the
 garbling of a *Quo Warranto* information, and
 their franchises were seized into the hands of the

crown. This information was issued against the mayor, bailiffs, burgessees, and *inhabitants*.

The 30th of Charles II. the *burgesses* and *inhabitants* presented an address and submission to the king, praying that they might be restored.

The fourteenth charter, 14th of James II. is a charter of release and restoration: it recites the good services of the burgessees and *inhabitants*, the judgments obtained against them; and it restores and grants to the same burgessees and *inhabitants* all the liberties, &c. which they had, or by right ought to have.

These charters demonstrate that the *inhabitants* were part of the corporation, and that *commonalty* and *inhabitants* were terms indiscriminately used, as descriptive of the same persons.

By the records of the corporation, which go no farther back than the 10th of Elizabeth, and the various entries from that time to the year 1699, the *inhabitants* or *commonalty* were always mentioned as part of the corporation.

The corporation petitioned the house of commons so late as the year 1758, in the name of the mayor, bailiffs, burgessees, and commonalty.

Deeds of mortgages between the corporation
and

and other parties, dated so late as 1756, were produced, in which the *commonalty* were mentioned as part of the corporation.

Thomas Shepherd, an inhabitant, of the age of ninety-eight, remembered Mr. Ashley to have been chosen member for Poole by the *commonalty*, and he voted as an inhabitant in the year 1695.

The returns of members were made by the mayor, bailiffs, burgessees, and commonalty, until the year 1695.

To the above proofs the counsel for the sitting members only opposed *an usage of eighty years*, proved by parole evidence in favour of the exclusive right of the *burgesses*.

The committee determined, that the sitting members were *duly elected*.

Mr. Douglas, in his notes upon the above decision, observes, that a contrary determination took place upon similar evidence in the case of Colchester, 28th of March, 1628.

The like in the case of Boston, 8th of May, 1688.

These cases exactly show, that *no usage*, within time of memory, ought to narrow the right of election.

The case of Bridport is similar; for, on the

12th of April, 1628, the explanation of the word "commonalty" by the house, was the same as that for which the inhabitants of Poole contended.

Case of Warwick, 13th of May, 1628, the question was, Whether the election was in the mayor and common-council, or in the commonalty. Upon the question, it was resolved to be in the *commonalty*; and the inhabitant householders have enjoyed it ever since in consequence.

It is curious to remark, that Mr. Mauger, who obtained his seat by the above decision in favour of the burgesses of Poole against the inhabitants, was so far convinced of the justice of the inhabitants claim, that he became a candidate for their suffrages at the ensuing general election in 1780, against the burgesses, and actually petitioned the house for the re-establishment of that right, of which he had been the cause of depriving them the preceding parliament.

The petition of Mr. Mauger was heard before a committee of the House of Commons, upon the very same ground he had opposed it in the former parliament;

parliament; when the decision was, agreeably to the above, in favour of Joseph Gullstone, esq. and William Morton Pitt, esq. who were elected by the burgeses.

At the last general election the inhabitants made another attempt to recover their lost rights, by tendering their votes for Lord Daer, son to the Earl of Selkirk, and the late Lord Haddo, son to the Earl of Aberdeen. There were also, at the same time, four other candidates on the right of the burgeses, viz. Benjamin Lister, esq. a merchant of Poole; the Hon. Charles Stuart, youngest son to the Earl of Bute; Michael Angelo Taylor, esq. and Capt. Kingsmill, of the navy. The election was conducted with much eagerness on all sides: the burgeses were equally divided, until Lord Hood, whom Mr. Taylor publicly accused of a breach of promise to him, arrived and gave the casting-vote for Mr. Stuart: the numbers upon the burgeses poll, at the close of the election, being, for

Benjamin Lister, esq.	—	50
The Hon. Charles Stuart,	—	49
M. A. Taylor, esq.	—	48
Robert Kingsmill, esq.	—	45

The numbers of Mr. Stuart and Mr. Taylor would-

would have been finally equal ; but one of the burgesses in the interest of the latter was arrested for debt, as he was going up the steps of the town-hall, to give his vote. Bail was offered, and even payment of the debt ; but the sheriff and his deputy were too much engaged upon the election, to be interrupted by so trifling a concern as the *liberty of a British subject* ; and the elector was suffered to remain in the custody of an officer until the poll was closed.

Lord Daer and Lord Haddo, being candidates on the right of the commonalty, the inhabitants tendering their votes for those noblemen, were rejected by the sheriff, two petitions were accordingly presented to the House of Commons, at the meeting of parliament in 1790, against the return of Lister and Stuart ; one by Lord Daer and Lord Haddo, in support of the claim of the commonalty ; and another by Michael Angelo Taylor, esq. and Robert Kingmill, esq. on the claim of the minor part of the burgesses, against the majority.

These petitions were heard the same session ; when it was agreed by all the parties, that the petition of Lord Daer and Lord Haddo should be determined first ; for, if the committee should be of opinion that the *right* was in the inhabitants,
the

the other four candidates were so inferior in point of numbers, that they intended to relinquish their respective claims.

The committee accordingly began with the petition of Lord Daer and Lord Haddo; when nearly the same case was opened, as we have reported upon the petition of the right hon. Charles James Fox and John Williams, esq. in 1775, and which had been repeated on similar grounds by Joshua Mauger, esq. in 1781. The committee confirmed the determinations of the preceding ones by deciding, that Lord Daer and Lord Haddo were *not duly elected*, and resolved upon a special report to the house,

“ That the right of election, in the town and
“ county of Poole, is in the mayor, bailiffs,
“ and burgessees only.”

This petition being disposed of a compromise took place between the contending parties, on the poll of the burgessees. The vote of the burgeses who had been arrested and detained in custody, during the election, was added to the poll of Mr. Taylor, and another struck off from that of Mr. Stuart. The numbers then were, for

Lister

Lifter,	—	49
Taylor,	—	49
Stuart,	—	48
Kingsmill,	—	46

The committee accordingly reported to the house,

"That Benjamin Lifter, esq. and Michael

"Angelo Taylor, esq. were duly elected."

The success of Mr. Lifter was, however, rendered abortive. The opposite parties had all discovered that he had been a *contractor* within the year preceding his election; and that the taking his seat would be attended with the disagreeable consequence of his being liable to a penalty of five hundred pounds every time he should give his vote in the House of Commons.

This incapacity was only to be removed by Mr. Lifter vacating his seat, and, as the twelve months since the surrender of his contract had now expired, to get re-elected.

The Chiltern hundreds were accordingly given him, and a new writ was issued for another election; when the inhabitants of Poole, with that fervour and love of liberty which nature has implanted in the human mind, and which, although suppressed by temporary miscarriages and inconveniences,

inconveniences, will omit no opportunity of asserting its own dignity, recurred to their original claim of right, and with a zeal and firmness which the writer, who was present at the moment, will never recollect but with a glow of admiration, again bestowed the noblest gift of freemen, their unbiassed suffrages, on Lord Daer.

The statute of the twenty-eighth of George III. chap. 52, allows them one more chance, and that a final one, of regaining that right which they had enjoyed for centuries, and which their charters clearly entitled them to possess. The decisions of three committees have certainly been against them; and we wish to be understood as speaking with the greatest deference, when we mention the verdicts of so respectable a judicature. But the borough of Saltash has encountered the same difficulty and succeeded; three successive committees had determined the right of election there to be in the corporation; the fourth gave it to the freeholders. The committees on the Hellstone contest, in the year 1775, determined the same right to be in the corporation, under the old charter; the second committee, in 1791, determined it to be in the corporation, acting under the new charter granted by his present majesty.

And

And, when it is recollected that, in the cases of Colchester, Boston, Bridport, Pomfret, and Warwick, the determinations were different to those of Poole; and that the doctrine of *eighty years usage*, however corrupt or inconsistent with right, is neither sanctioned by act of parliament, nor considered as the common law of committees, and has been followed only in one solitary instance, that of Lyme-Regis; we trust the inhabitants of Poole may yet look forward to the final decision with well-founded hopes of success.

The corporation of Poole are divided, as may be seen from the state of the poll, into two parties, so nearly equal in number, as to render it difficult to determine which will preponderate. Mr. Lister, the present member, is at the head of the ministerial party; and Mr. John Jeffery, a most respectable and opulent merchant, of this town, is at the head of opposition. The recorder and town-clerk are in the interest of the latter. The aldermen, who acquire that situation by serving the office of mayor, are mostly in the ministerial party; and as a bye-law is still in force, allowing them to nominate two of their own body to the burgesses, one of whom the latter is bound to choose for mayor, there is little chance, unless that
bye-

bye-law is deemed illegal, or repealed, which is now attempting to be accomplished, that the opposition will be able to sustain their superiority.

NUMBER OF VOTERS.—If the committee decide, on the present petitions, that the right is in the burgessees, the number of voters will be only 100: but, should they determine it to be in the inhabitants, there will be 600.

RETURNING OFFICER—the sheriff.

PATRONS—Mr. Lister, and Mr. Jeffery.

DURHAM COUNTY.

ANCIENT STATE.

THIS maritime county takes its name from the city of Durham. It is commonly called the bishopric, and sometimes the county palatine of Durham, from its having been formerly a kind of royalty, under the jurisdiction of its bishop, and subordinate to the crown.

Soon after the conversion of the Saxons, the

county of Durham was given by their kings to St. Cuthbert, bishop of Lindisfern, an island belonging to Northumberland, and which is now known by the name of Holy Island: this county was, therefore, called by the Monkish writers, the patrimony of St. Cuthbert, in the same manner as the Roman ecclesiastical state is still called, the patrimony of St. Peter. This grant of the Saxon kings was confirmed by the Danes and Normans, who added several other liberties and privileges to the church of St. Cuthbert. In the reign of William the Conqueror, one Walcher, a native of Lorrain, being bishop of Durham, bought the earldom of Northumberland of the king, and then, assuming the office of a secular judge, sat in court, and, with unlimited authority, determined all causes at his pleasure. This is supposed to have been the origin of the temporal powers of the bishops of Durham; and upon this purchase, it is thought to have been made a county palatine. From this temporal power, the bishops bore in their seals a knight on horseback, armed with a sword in one hand, and the arms of the bishopric in the other.

The common people, jealous of their privileges,

leges, have even refused to march into Scotland in time of war, from the pretence of their being *Halwerkmen*, i. e. men bound to perform none but *holy-work*, as they held their lands to defend the body of St. Cuthbert, and were not to serve, either for the king or the bishop, beyond the confines of the bishopric. The prerogative of one of these prelates was seized by Edward I. who deprived the see of many privileges; some of which were, however, recovered by succeeding bishops, whose power was so great, even after its abridgment, that it became a maxim—
“ Whatever prerogative the king has without
“ the county of Durham, the bishop has within
“ it, unless there be some concession or prescription to the contrary.”

Although clergymen were forbid by the canons to be present when judgment of blood was given, yet the bishop of Durham sits in court on these occasions in his purple robe. He had the power of calling parliaments, and creating barons as their members. He also raised taxes, and coined money. The courts were kept in his name; he appointed all judges, and all writs were made in his name: all recognizances entered upon the bishop's rolls in his chancery,

and made to him, were as valid within the county, as those made to the king were in others. Those who alienated freehold lands without his leave, were obliged to sue to him for pardon, which he might grant, not only for trespasses and intrusions, but also for rapes, felonies and other crimes. He had, also, power to grant charters for boroughs, corporations, fairs, and markets; grant licences for building chapels, founding chantries and hospitals; and create officers for life, or during pleasure, by patent. But these grants were no longer valid than the life of the bishop who made them. He was also lord admiral of the seas, and other waters, belonging to the palatinate; had his vice-admirals, his courts of admiralty, commissioners of water-passages, and officers of beaconage. He owned a great part of the lands in the palatinate, which were held of the see *in capite*. He had likewise several forests, chaces, parks, and woods, besides all moors and wastes in this county; the lands, goods and chattels of all convicted of treason escheated to him; and the bishop still claims all forfeitures upon outlawries and felonies. Such were the privileges of the bishop of Durham, when they were abridged by 27 Henry VIII. which statute stripped them

them of the palatinate power of granting pardons, creating judges, and making out judicial writs and indictments. But the bishops and their temporal chancellors were still allowed to act as justices of peace. In the reign of Edward VI. this bishopric was dissolved, and all its revenues and immunities were given by parliament to the crown; but Queen Mary repealing this act, restored the see to the state in which it had been left by her father Henry VIII. However, as the county was a kind of principality distinct from the rest of the kingdom, it never sent members to parliament until the reign of Charles II.

The county of Durham is in the province of York, and is a diocese of itself. It is not divided into hundreds; but, like Cumberland, into wards or wakes. It has one city, only seven market towns, and 113 parishes. It sends to parliament but four members, two of whom are chosen by the county, and two by the city of Durham.

POLITICAL CHARACTER.—The aristocratical interest that prevails in this county, is that of the earl of Darlington and the bishop of Durham. An union of their interests is considered as decisive against the most formidable opposition.

DURHAM CITY.

POLITICAL CHARACTER.—This city is so fortunate as to have preserved its independence, except an established attachment to the respectable families of Tempest and Lambton, who have represented it for many years, can be included under the name of influence. The corporation have, however, been inimical to the interests of these families, and the weight of ecclesiastical controul, which, under a bishop of Durham, can never, from what we have observed respecting the county, be inconsiderable, have joined in vain to oppose them; but the *vox populi* has ultimately prevailed.

CORPORATION.—This city is said to have been first incorporated by Richard I. when it was governed by bailiffs appointed by the bishops, and afterwards by an alderman and twelve burgesses.

Queen Elizabeth gave it a mayor, aldermen, and common-council; but it has since been governed under a charter, procured by bishop Crew, of Charles II. by twelve aldermen, a recorder, twelve common-council, a town clerk, and

and other officers, who could hold a court-leet and court-baron within the city, in the name of the bishop for the time being. They also keep a Pye-powder court, instituted to regulate disorders at fairs.

The bishop being earl of Sadberg, a small town near Stockton, is a temporal prince; he holds the title by barony; he is a sheriff paramount for the county, and appoints his deputy, who makes up his audit to him, without accounting to the Exchequer. He is also, as count palatine, lord of the city, and appoints all civil officers, and other inferior magistrates.

The corporation of Durham had been guilty of so many illegal practices, as at last to be several years without a mayor, and in that imperfect state of not having it in their power to elect one according to the constitution of the city. A new charter was repeatedly applied for, but the bishop and the old corporation differing about its principles, it was not obtained till within these few years, when Dr. Egerton, the last bishop but one, granted them a new charter, under which they at present act.

The want of a mayor, did not prevent the election of members of parliament or the admission

sion of freemen, nor was the charter forfeited by that imperfection in their body.

RIGHT OF ELECTION.—The choice of members to serve in parliament is in the corporation and freemen.

By stat. 25 Car. II. c. 9. "The county palatine of Durham may have two knights for the county, and the city of Durham two citizens to be burgesses for the same city to serve in parliament, to be elected by writ awarded to the lord bishop of Durham, or his chancellor of the county, and precept thereupon by the lord bishop, or his temporal chancellor, to the sheriff; the election of the knights to be made by the greater number of freeholders, as in other counties, and the election of burgesses for the city of Durham to be made by the major part of the mayor, aldermen, and freemen; which knights and burgesses shall be returned by the sheriff into the chancery, upon the like pains as the sheriffs of any other county." See stat. 18 George II. c. 18. sect. 12.

HONORARY FREEMEN.—A contest happening between the corporation who adopted Mr. Ralph Gowland, and the city who supported Mr. Lambton, in the year 1762, when the latter presented

presented a petition against an undue election of the former. The petition stated that, when Mr. Lambton and Mr. Gowland offered themselves as candidates to represent the said city, " that John Drake Bainbridge, esq. was, together with several other aldermen, very strenuous and active in soliciting votes for Mr. Gowland: and that they and their agents corruptly prostituted a public charity to the purposes of influencing several indigent freemen; and that finding the inclinations of a large majority of the legal voters were in favour of the petitioner, they concerted a scheme of overpowering that majority by fictitious votes; and that, for this purpose, the said John Drake Bainbridge, and several other aldermen of the city, long after Mr. Gowland and the petitioner had declared themselves candidates, and within a few weeks of the late election, took upon themselves illegally to displace out of the common council of the said city several of the most substantial and respectable inhabitants, and to substitute other persons of inferior character and station, whose only recommendation was their known attachment to Mr. Gowland; and that on the 4th October last, the said John Drake Bainbridge
procured

procured himself to be appointed mayor of the said city, and after his appointment to that office, continued the same zeal and activity in soliciting votes for the said Mr. Gowland; and that the said John Drake Bainbridge, and several of the aldermen of the said city, having unduly garbled a common council for their purpose, they proceeded, on the 13th of October last, to make a pretended but illegal repeal of an ancient by-law, by which none could be admitted freemen until their claim had passed three quarterly guilds; a regulation that was made for the better security of the legal freemen and trading companies of the city, and to prevent a precipitate admission of improper and unqualified persons; and that having thus rescinded and got rid of the aforesaid by-law, which would have prevented the execution of their scheme, some of the aldermen above mentioned, on the second of November, which was not a month before the writ of election issued, illegally, and against the consent of a large majority of trading companies, admitted upwards of 200 occasional freemen, for no other purpose but to increase the poll for Mr. Gowland; and that the persons so admitted were strangers to

the

the said city, residing at a distance, and most of them unknown to the wardens of the companies, but strenuous partizans of Mr. Gowland, and under the influence of the said mayor and his confederate aldermen; and alledging that, even after the test of the writ of election, and during the very time of the poll, the aforesaid mayor unduly admitted a great number of persons to the freedom of the said city, in order to procure, at any rate, a majority of votes for Mr. Gowland; and that, notwithstanding repeated applications were made to the mayor, by the petitioner and his agents, for an inspection of the corporation guild-book, and for a list of the pretended freemen so made and admitted as aforesaid, he, the said mayor, refused both; and that, at the late election, which began on the 7th of December last, the aforesaid mayor illegally, and contrary to his duty, as returning officer, admitted the votes not only of the occasional freemen above mentioned, but also of many other persons who offered, and ought to have been admitted to vote for the petitioner; and that, notwithstanding the number of such occasional voters amounted to upwards of 200, yet the pretended majority for

the sitting members upon the close of the poll, was no more than 23; and that, to complete the design of these unwarrantable practices, the aforesaid mayor hath unjustly, and contrary to the duty of his office, returned the said Mr. Gowland as duly elected representative for the said city, notwithstanding the petitioner had a clear majority of 192 legal votes in his favour, and ought to have been returned accordingly; and that the conduct of the mayor and his confederates, is a manifest injustice to the petitioner, an open violation of the rights and franchises of the legal freemen and voters of the said city, and a daring infringement of the orders of this house, &c.*"

THE petition signed by the freemen was also read, and alledged, "that by those proceedings of the said mayor and his confederates, the petitioners, and the rest of the legal freemen of the said city, are grossly injured, and their rights, liberties and franchises were grossly violated and invaded, &c."†

THESE petitions being referred to a hearing at

* Journals, Vol. XXIX. 105.

† Ibid. ibid.

the bar of the house, upon the 4th of May following, a motion was made, and the question being proposed, that 215 persons made, or pretended to be made, free of the city of Durham, since the death of Henry Lambton, Esq. late member of parliament for the said city, had not a right to vote in the late election of a citizen to serve in parliament for the said city.

THE house, on the following division, determined in the affirmative.

Yeas 88

Noes 72

Majority for the question 16

MR. Gowland was next, on a motion, declared not duly elected.

AND it was resolved, that major general John Lambton was duly elected to serve in that parliament for the city of Durham.

It was then ordered, that the deputy clerk of the crown should attend the house as the next morning to amend the return for the said city of Durham, by razing out the name of Ralph

I

Gowland

Gowland, Esq. and inserting the name of John Lambton, Esq. instead.*

Thus were the rights of the people triumphant over the illegal and arbitrary influence of corporative authority. And to prevent the possibility of such an abuse of municipal power in future, the famous statute, known by the name of the Durham Act, was passed in the 3d of his present Majesty. By this act no person has a right to vote, who has not been possessed of their franchise twelve calendar months before the first day of the election. This act does not extend to persons who are entitled to their freedom of right by the custom of the borough; for such may be admitted at any time previous to an election, or even during the poll.

IN Durham, persons acquire their freedom either by servitude or election into companies at certain guilds, holden by those companies. The admission by the mayor is a mere ceremony; for when there was no mayor, they were entitled to vote formembers of parliament.

NUMBER OF VOTERS, 1200.

RETURNING OFFICER,——.

* Journals, Vol. XXIX. 337.

ESSEX.

POLITICAL CHARACTER.

SINCE the expensive contest of the late Mr. Luther, for the representation of this county the opulent gentlemen amongst the whigs and tories have contented themselves, in order to avoid the ruinous expence of a county contest with each sending one member. Essex, like three fourths of the English counties, is by this compulsory coalition deprived, *de facto*, of any representation; for, upon every political division, the members, by dividing against each other, preserve so nice a balance, as to give the whole weight to the nominal representatives of the *immaculate* boroughs. But when it is considered that all the counties in England send but eighty representatives, and the decayed boroughs upwards of *four hundred*, they could give no effectual support to the cause of the people they represent, were their elections ever so pure, or their union ever so complete.

This county lies in the province of Canterbury and diocese of London. It is divided into 20 hundreds, and contains 24 market towns, but no city, 34,800 houses, 208,800 inhabitants, and

415 parishes. It sends 8 members to parliament; two knights for the shire; two burgessees for Colchester, two for Harwich, and two for Malden.

COLCHESTER.

POLITICAL CHARACTER.—This borough has derived a distinguished character in the annals of controversy and corruption. The several contests between Mr. Rebow and Mr. Fordyce, the once eminent banker; Mr. Christopher Potter, the contractor, with the late Sir Edmund Affleck; and the more recent oppositions between Mr. Tiernay and Sir George Jackson, have produced some very curious anecdotes, which, if the compass of our work would admit us to relate them, must create a blush even on the face of political profligacy. Sir Thomas Webster, having represented this town, in what was called the pensioned parliament of Charles II. became so disgusted with the parliamentary depravity of that body, as to take a resolution to abandon them and the cause of the people in that house, where he saw no possibility of either opposing the despotic measures of the court, or supporting the liberties of his country. He wrote accordingly a letter to his constituents on the election of the first parliament of James II. which

which met on the 21st of March, 1685, declining the representation of a people, whose delegated legislature was converted into an engine of despotism, by the corrupt ministers of an arbitrary king, and requesting them to choose another representative; he then absented himself from the town and its connexions. On the day of election, however, his former constituents, with a virtue and manliness of conduct peculiar to real independence, and which we are sorry they have not imitated upon more recent occasions, resolved to re-elect their old member, whose integrity they had tried, and whose attachment to the cause of liberty was not to be shaken. Without solicitation, therefore, or expence, and even without his own acquiescence, Sir Thomas was again deputed the assertor of their rights in parliament. The court candidate, in whose favour every exertion of influence had been made without success, had recourse to the stratagem, so frequently practised before the establishment of the Grenville act, of petitioning parliament, and procuring himself to be voted into his seat by the strength of the minister in the house. This petition was accordingly brought to hearing; and Sir Thomas Webster, who had been elected by a considerable majority, without expence or solicitation,

tion, and even without his knowledge or consent, was voted *guilty of bribery and corruption*, and his courtly opponent voted into his seat.

We are sorry not to be able to trace the conduct of these electors by similar acts of patriotic fortitude down to the present moment. One instance indeed occurs of a choice, that reflects equal honour on the constituents and the representative. Sir Robert Smyth, Bart. was stopped in his carriage, as he was passing through this town, at the general election in 1780, and elected by a very respectable majority, out of the same respect to his private and public virtues, they had before shewn in their affection for Sir Thomas Webster. They however tarnished the applause so liberally obtained, by suffering the same gentleman, at the subsequent election in 1784, after an independence and integrity of conduct which ought to have endeared him to his constituents as it has done to his country, not only to be put to an immoderate expence, but to be obliged to apply to a committee of the house of commons, to recognise his claim to that seat to which their undue return of his opponent, Mr. Potter, compelled him.

It is remarkable, that of three violent contests which have happened in this borough, that of
Alexander

Alexander Fordyce, Esq. against Mr. Gray and Mr. Rebow, in 1768; the second, of the same gentleman and Robert Mayne, Esq. in 1780, against Sir Robert Smyth and Mr. Rebow; and the third in 1781, between Christopher Potter, Esq. and Sir Edmund Affleck—Mr. Fordyce, Mr. Mayne, and Mr. Potter, the unsuccessful candidates, all appeared in the list of bankrupts within a very short time of their respective defeats; and the ruinous expences of a Colchester contest was supposed to have contributed, in no small degree, to their misfortune.

The influence under which this town has the misery to labour, in common with most others, although in different degrees, is that of the corporation, who possess the absurd power of making foreigners, by which it is understood, *non-residents*, and others, who have no natural or legal claim to such a right, freemen of the said borough. This will always enable them to *manufacture* a majority in favour of any candidate whose interest they may choose to espouse.

No less than four petitions from this borough have been tried since the existence of the Grenville act, viz. Affleck versus Potter, Smyth versus Potter, Tiernay versus Jackson, and Tiernay versus Thornton and Jackson; and from the

complicated nature of their constitution there are likely to be ten times as many more. The only remedy for this expensive evil is the establishment of the right of election where the constitution originally vested it—in all the house-keepers, without distinction, throughout Great Britain.

CORPORATION.—This town is governed by a mayor, high-steward, a recorder or his deputy, 11 aldermen, a chamberlain, a town-clerk, 18 assistants, and 18 common-council. The mayor and aldermen for the time being, with 48 guardians, are also a corporation for the benefit of the poor. It was next incorporated by William III. and afterwards in 1763. It is a liberty of itself, containing 4 wards, and 16 parishes, within and without the walls.

CORPORATION CASE.—In 1735 one William Seaber executed a bond to the mayor and commonalty. In 1740, judgments of ouster were pronounced against all the persons acting, *de facto*, as mayor and aldermen in Colchester: all those persons were dead before 1763: and on the 9th of September, 1763, the present charter was granted and accepted. In Easter term, 1766, the new corporation brought an action of debt on Seaber's bond against his executor.

The

The question was, therefore, whether the present corporation could maintain the action? This was involved in another question—whether the old corporation was dissolved in 1763?

On this the opinion of Lord Mansfield was,
 “ The corporation is not dissolved by the judgments of ouster, and subsequent deaths of the
 “ mayor and aldermen, though they are without
 “ their magistrates. Their constitution is not
 “ destroyed and gone; their former rights remain.
 “ Would not a freeman of Colchester still continue to have *a right to common, or to vote for*
 “ *members of parliament?*”

“ I am clear, upon principles of law, that the
 “ old corporation was not *absolutely dissolved* and
 “ annihilated, though they had lost their magistrates. Where there is a judgment against the
 “ corporation itself, the case would be of a different consideration.”

The other justices, Wilmot, Yates, and Aston, concurred with his lordship.

RIGHT OF ELECTION—28 March 1696. *The Committee reported*, That the right of election for Colchester, in Essex, was agreed to be in the sworn burgesses, not receiving alms.

27 Jan. 1710. *Resolved*, That the mayor of the borough of Colchester, in the county of Essex,

cannot make foreigners free of the said borough, without consent of the majority of aldermen and common-council.

6 May 1714. Agreed, that the right of election is in the mayor, aldermen, common-council, and free burgesses, not receiving alms.

Resolved, That the right of making foreigners (not having a right of freedom by birth or service) freemen of the borough of Colchester, in the county of Essex, is in the mayor and free burgesses of the said borough, in common hall assembled.

NUMBER OF VOTERS—1400.

RETURNING OFFICER—The Mayor.

PATRON—None.

TREATING.

21 Nov. 1702. *Resolved*, That the agents of Sir Isaac Rebow have been guilty of treating, and other corrupt practices, in order to procure the said Sir Isaac Rebow to be elected a burgess to serve in parliament for the borough of Colchester, in the county of Essex.

Ordered, That John Weely, agent for Sir Isaac Rebow, for his corrupt practices, in endeavouring to procure the said Sir Isaac Rebow to be elected
a burgess

a burges for the said borough of Colchester, be taken into custody.

CONTEMPT OF PRIVILEGE.

20 Mar. 1713. A complaint being made to the house, that the town clerk of the borough of Colchester, having been served with an order of the committee of privileges and elections for permitting Nicholas Corfellis, Esq. and his agents, to inspect the free-school book, and any public books, charters, papers, or records, in order to the preparing for the hearing of the matter touching the election for the said borough, before the said committee, he the said town clerk had refused the same.

WHEREUPON one *John Summers*, servant to the said Mr. Corfellis, was called in, and examined at the bar, in relation to the matter of the said complaint.

AND then he withdrew.

Resolved, That *Thomas Glascock*, town clerk of the borough of Colchester, in the county of Essex, having refused to obey the order of the committee of privileges and elections, for permitting *Nicholas Corfellis*, Esq. or his agents, to inspect the public books and records of the said borough, be, for the said contempt, taken into the

the custody of the serjeant at arms attending this house.

BRIBERY AND DISQUALIFICATION.

4 April, 1784. Sir Robert Smith, Bart. presented a petition, alleging, that at the last election for the borough of Colchester, Sir Edm. Affleck, Bart. Christ. Potter, Esq. and the petitioner, were candidates; that the petitioner had the majority of legal votes; but that the mayor, from partiality to Mr. Potter, illegally rejected rightful votes for the petitioner, and admitted illegal votes for Mr. Potter; that Mr. Potter, by these means, and also by bribery, had procured himself to be unlawfully returned—"And that a commission of bankruptcy was issued against the said Christ. Potter, on the 17th of April 1783, and he was therefore found and declared a bankrupt; and on the second day of the month following, an assignment of all his estates and effects whatsoever was made for the benefit of his creditors; and that at such time the said Christ. Potter had no freehold estate whatsoever; and from the estate and effects of the said Christ. Potter, the petitioner is informed, no more than two shillings and sixpence in the pound has been paid to his creditors: And for these reasons, the petitioner

tioner begs leave to represent to the house, that the said Christopher Potter had not, at the time of the said election, such an estate, in law or equity, for his own use and benefit, of and in lands, tenements, or hereditaments, as qualified him to be elected and returned to serve as a member for the said borough, according to the law in that behalf made and provided; and that the said Christ. Potter was not capable of being elected and returned."

Upon hearing the petition, both parties admitted that Sir Edmund Affleck, according to the following poll, was duly elected.

For Affleck 665

Potter 425

Smyth 416

At the election, Mr. Potter being called upon, delivered in an affidavit, sworn before the mayor, of his having a sufficient estate.

The counsel proceeded to invalidate the election of Mr. Potter, on the subject of disqualification—They alleged, that he had not complied with 33 George II. c. 20, which requires that all members of the house of commons (with some exceptions), before they presume to vote, or sit in the house, shall publicly deliver in at the table, while the house is sitting, a schedule of their

their qualifications, specifying the situation, &c. and shall take and subscribe an oath of the truth of the schedule. The oath is to be enrolled, and the schedule filed by the clerk; and the election of a member not complying with this act, or not being duly qualified, shall be declared void, and a new writ issue.

The counsel then referred to the instances of Honiton, Weymouth, Malden, and Boffinay, as cases in point, proving that the house had deemed the election of members, so refusing, void.

The counsel for the sitting member answered, that Mr. Potter had complied with the statute of 9 Anne; which requires an oath of qualification at the time of election, or before the meeting of parliament, by swearing to his qualification when requested. And the statute of 33 George II. only requiring members, *when they take their seats*, to give in and swear to the schedule of their qualifications, he was free from the penalty of that act, from not having yet taken his seat.

With respect to his being disqualified by his bankruptcy, this was sufficiently answered, from his having obtained a certificate that might since have enabled him to acquire sufficient property for qualification. The allegation, his counsel said, ought to have been such as, if true, would have

have convicted the sitting member of perjury in his affidavit; for that alone would prove the incapacity.

Supposing the sitting member to have disobeyed the standing order, the point contended for would not be the consequence of this construction; for the counsel observed, that the house of commons *could not make a legal disqualification*; this was only to be effected by the whole legislature. He contended, that the cases adduced were not in point; they were only just examples of practice respecting the order they depended on, and no more. It was impossible, he said, to find a case so applicable to the present, as to enable the committee to follow, without opposition from Mr. Potter.

After a short reply from the counsel for the petitioner, the committee

Resolved, That the petition presented by Sir Robert Smith, Bart. does contain an express charge of want of qualification against the sitting member.

Resolved, That Christopher Potter, Esq. has not complied with the standing order of the house of the 21st November 1717, which requires that the qualification expressly objected to in any petition relating to his election, shall,
within

within 15 days after the petition is read, give to the clerk of the house of commons a paper, signed by himself, containing a rental or particular of the lands, tenements, and hereditaments, whereby he makes out his qualification."

"*Determined*, That the last election of members to serve in parliament for the borough of Colchester, in the county of Essex, is, so far as relates to Christopher Potter, Esq. a void election."

These resolutions being communicated to the bar, the counsel for the petitioners resumed that part of their case by which they claimed the seat for their client; and proposed to shew that he had a majority over Mr. Potter, by disqualifying ten of his votes, which would leave the numbers for Mr. Potter 415, and for Sir Robert Smyth 416.

After a few more observations from the counsel for the sitting member, the committee, *July 5*, "*Resolved*, That the election of Christ. Potter, Esq. for the borough of Colchester, having been declared void, the counsel be restrained from entering into any examination relative to the disqualification of votes on the poll for the said borough of Colchester."

On

On the same day the chairman reported to the house, "That the committee had determined, as before stated, that the election for members to serve in parliament for the borough of Colchester, in the county of Essex, is, so far as relates to Christopher Potter, Esq. a void election."

A new writ was in consequence ordered to be issued.

MALDEN.

POLITICAL CHARACTER.—The influence in this borough, if a positive one may be said to exist, is between Joseph Holden Strut, Esq. and Charles Callis Western, Esq. the present members. The house of commons having, with great justice, determined, that honorary freemen, and freemen claiming their right by purchase, have not a right to vote for members to serve in parliament for this place, effectually prevents the fabrication of votes for time-serving purposes, which has been practised at Durham, Carlisle, Seaford, and other places. The number not exceeding 200, is too small to place them beyond the grasp of venality and influence, as we have seen experienced by the conviction of the late Bamber Gascoigne, Esq. for bribery, and corrupting the electors of this borough.

CORPORATION.—It is at present governed by 2 bailiffs, 8 aldermen, a steward, recorder, and 18 capital burgessees. It is a liberty within itself, and has a convenient harbour. It was incorporated 1 Philip and Mary, 1554.

BOROUGH ENGLISH.

There is a custom in this place, that, when a man dies intestate, his lands and tenements descend to his youngest son ; or, if he dies without issue, to his youngest brother. This custom is termed *Borough English*, and is said to have arisen from the lewdness and tyranny of the ancient feudal lords, who, when any of those who held under them married, claimed the first night with the bride : as some doubt, therefore, naturally arose, whether the first-born child was legitimate, this custom was established to exclude such child from the inheritance, and the youngest was preferred, as being the most distant from suspicion.

RIGHT OF ELECTION.—May 20, 1715, Mr. Hampden (according to order) reported, &c. as follows :

1. *Resolved*—That it is the opinion of this committee, that the right of election of members to serve in parliament for the borough of Malden, in the county of Essex, is in such free-

men as do not receive alms, and are entitled to freedom by birth, marriage, or servitude.

2. *Resolved*—That it is the opinion of this committee, that such persons who derive their right to freedom from honorary freemen of the borough of Malden, in the county of Essex, have not a right to vote in the election of members to serve in parliament for the said borough.
3. *Resolved*—That it is the opinion of this committee, that persons claiming their freedom by purchase, and exercising trades within the borough of Malden, in the county of Essex, have not a right to vote in the election of members to serve in parliament for the said borough.
4. *Resolved*—That it is the opinion of this committee, that John Comyns, serjeant at law, having, at the late election of members, to serve in parliament for the borough of Malden, in the county of Essex, wilfully refused to take the oath of qualification, as is directed by an act of parliament of the 9th of Anne, (entitled, “An Act for securing the freedom of Parliaments, by the further qualifying the Members to sit in the House of Commons,”) though duly required so to do, and not having at any time before the meeting of this parlia-

ment taken the said oath, his election is thereby void.

The said resolutions being severally read a second time, and the question being severally put upon the three first of the said resolutions, That the house do agree with the committee in the said resolutions;

It passed in the negative.

The rest of the resolutions being severally read a second time, were, upon the question severally put thereupon, agreed unto by the house.

NUMBER OF VOTERS—195.

RETURNING OFFICERS—The two bailiffs.

PATRONS—Mr. Strut and Mr. Western.

PENSION.

In the pension-list of Charles II. Sir Richard Wiseman, one of the members for Malden, had 1000*l.* a year pension, and was keeper of one of the treasurer's parliamentary tables.

HARWICH.

POLITICAL CHARACTER.—This was formerly a treasury borough, and numbered amongst the appendages to the influence of government. But the celebrated John Robinson, esq. of parliamentary notoriety, managed with so much dexterity its political attachment, while he was in the
the

the employment of a late administration, as to secure to himself that patronage, which he had before exercised officially.

The right of election being in thirty-two individuals, most of whom are, by themselves or their relations, in possession of those favours which the ex-secretary had so amply the power of distributing, nothing but an opposition to a future administration can possibly shake the omnipotency of his influence: but as he possesses the lucrative office of surveyor-general of the crown lands, and a pension of 1000*l. per annum*, we presume, upon his well-known attachment to *good things*, that such an act of tergiversation is not likely to happen.

CORPORATION.—This town was first made a borough, and incorporated, in the reign of Edw. II. by Thomas Brotherton, earl of Norfolk, and marshal of England. It received a new charter in the time of James I. by the interest of the learned and celebrated Edward Coke, the attorney-general, and afterwards recorder of this town for life. This charter, and all other immunities belonging to the town, were, through the mediation of Sir Harbottle Grimstone, their recorder at that time, and master of the rolls, confirmed by Charles II. The corporation at present consists of a mayor, chosen annually on St. Andrew's

day, out of eight aldermen. There is also a recorder and twenty-four capital burgessees. The mayor has the power of keeping admiralty courts, which have a jurisdiction over all naval affairs.

RIGHT OF ELECTION.—April 6, 1714, *Resolved*, That the right of election to serve in parliament for the borough of Harwich, in the county of Essex, is in the mayor, aldermen, and capital burgessees, or headboroughs of the said borough, residing within the said borough.

NUMBER OF VOTERS—32.

RETURNING OFFICER—The mayor.

PATRON—John Robinson, esq.

PENSION.

In the pension-list of Charles II. it appeared that Thomas King, esq. a member for Harwich, had a pension of 50*l.* a session, besides meat, drink, and now and then a suit of clothes.

GLOUCESTERSHIRE.

THIS county is in the province of Canterbury, and is a diocese of itself. It is divided into 30 hundreds, and contains one city, and 25 market towns, in which are 280 parishes, 26,700 houses, and 162,568 inhabitants, who are

are represented in parliament by eight members chosen as follows: Two knights of the shire for the county; two citizens for the city of Gloucester; two burgesſes for the borough of Cirencester; and two burgesſes for the borough of Tewksbury.

GLOUCESTER COUNTY.

POLITICAL CHARACTER.—The predominant influence in this county is that of the Duke of Beaufort, and the Earl of Berkeley. There was, indeed, a powerful conteſt in 1776, upon Mr. Southwell being called to the houſe of peers, in which the numbers upon the poll were nearly equal; but it was a conteſt between the intereſt of theſe two noblemen for ſuperiority: W. B. Cheſter, eſq. being ſupported by the former, and the Hon. George Cranfield Berkeley by the latter. Mr. Cheſter obtained the majority upon the poll: a petition was preſented and tried againſt his return, in which he eventually ſucceeded. This was the firſt county petition tried under the Grenville act. The above noblemen are now coaleſced, and each has his friend *in the representation.*

A MEMBER CHOSEN WITHOUT HIS CONSENT.

It is so far unnecessary to be a candidate in order to be a member, that a person may be chosen and returned without either his knowledge or consent. This is proved by a circumstance which happened at an election for this county, as reported by Glanville. The committee and the house determined, April 9, 1624, that Sir Thomas Estcourt, having a majority of votes on the poll, was duly elected and returned, *although he had declared, at the election, that he desired not to be chosen.*

GLOUCESTER.

POLITICAL CHARACTER.—This city is at present independent; a remarkable instance of which was given upon the death of Sir Charles Barrow, in 1789, when the citizens opposed the interest of the duke of Norfolk, and, after a poll of fifteen days, obtained a victory by a majority of one vote.

The Duke of Norfolk is an alderman and recorder of this corporation, and most of the body corporate are in his grace's interest. Lord Viscount Sydney has an interest in the city, arising from

from the property he inherits of the late George Selwyn, esq.

CORPORATION.—According to Sir Robert Atkins' History of Gloucestershire, this city was incorporated by Henry III. when he was crowned there. It was then governed by a mayor, aldermen, &c. But the inhabitants resigning their charter, in 1672, to Charles II. he granted them another in the 24th of his reign, by which the city and county is governed by a steward, mayor, 12 aldermen, a recorder, two sheriffs, 26 common council, a town clerk, a sword bearer, and four serjeants at mace. For the better regulating the trade of the city, there are twelve companies, whose masters attend, in their gowns, the mayor, on all public occasions: these are the mercers, in which are included the apothecaries, grocers, and chandlers; the weavers, the tanners, the butchers, the bakers, the smiths and hammermen, among whom are the goldsmiths, ironmongers, coopers, and joiners; the shoemakers, metal-men, taylors, barbers, and glovers.

RIGHT OF ELECTION—Is in the inhabitants and freemen.

NUMBER OF VOTERS—3000.

RETURNING OFFICERS—The sheriffs.

PATRONS—None.

CIRENCESTER.

THIS borough has been from any years at the disposal of Earl Bathurst, who has a seat in the neighbourhood, and possesses a considerable property in the town and its vicinity. His lordship is also lord of the manor of this borough, and his steward assumes the powers of returning officer, the charter having been forfeited so long since as the reign of Elizabeth.

There have been many resolutions of the committees of the house on the right of election for this borough, but none of them have received the sanction of the house of commons; the RIGHT is consequently undefined. The only resolution upon the journals is, the general one of the 1st of May, 1624, which neither excludes any part of the borough, nor any description of its inhabitants: but the steward of Earl Bathurst, who acts as returning officer, rejects the votes of the Abbey, the Emery, and the Springgate-lane, which he justifies under a resolution of a committee of 1709, though that resolution was negatived by the house of commons.

Mr. Creswell made a successful opposition to this interest in 1768, and Mr. Preston did the same at the last election in 1790, at the risk of
a peti-

a petition, which cost several thousand pounds, to ascertain a right of election, where complicated errors have rendered the task impossible.

CORPORATION. — This town being incorporated, as above, by Henry IV. it was governed by a mayor, two constables, and the commonalty, who were deemed part of the corporate body: but this charter was cancelled in the reign of Elizabeth.

RIGHT OF ELECTION. — *May 21, 1624.* That where no custom nor charter for election, there the inhabitants householders ought to make the election.

Nov. 4, 1690. Resolved, by the committee, that the inhabitants of the borough of Cirencester (in com. Gloucester.) receiving a charitable donation, commonly called *bye-money*, have not a right to vote in electing burgeses to serve in parliament.

Resolved, That the inhabitants of the borough of Cirencester being inmates, have no right to vote in electing burgeses to serve in parliament.

Upon the question, the house did not agree upon the first resolution, but agreed unto the second.

Dec. 8, 1709. The question being put, that the inhabitants of the *Abbey*, the *Emery*, and the
Sprin-

Springate-lane (not receiving alms) have a right to vote in electing members to serve in parliament for the borough of Cirencester (com. Gloucester);

It passed in the negative.

The state of the poll at the last election was,

For Lord Apsley - 293

Richard Master, esq. 262

Robert Preston, esq. 254

NUMBER OF VOTERS—600.

RETURNING OFFICER—The steward.

PATRON—Earl of Bathurst.

TEWKESBURY.

POLITICAL CHARACTER.—This borough is not under the immediate influence of any individual. Its independence is evinced by the honour it derives from so exemplary a representative as Mr. James Martin, whose integrity has manifested that rigid virtue, which so deservedly ennobled the Grecian and Roman character. To the honour of the British senate it should be recorded, that being offered a share in the very advantageous loan of 1783, to a very great amount, he displayed the true dignity of parliamentary independence, by communicating to the
house

house the insult that he conceived to be offered to the legislative assembly of the nation.

ANCIENT REPRESENTATION.—This town received first its privileges from Edward II. which were confirmed by several of his successors; but it did not return to parliament before the 7th of James the First.

CORPORATION.—Tewkesbury being re-incorporated by James I. it was then governed by 24 burgeses, from whom are chosen annually two bailiffs, who are the ruling magistrates, and have jurisdiction within the borough, exclusive of the justices of the peace for the county.

RIGHT OF ELECTION.—Is in the magistrates and inhabitants paying scot and lot.

NUMBER OF VOTERS.—Supposed to be about 500.

RETURNING OFFICERS.—The bailiffs.

H A M P S H I R E.

THIS county, exclusive of the Isle of Wight, is divided into 39 hundreds, containing one city, 20 market towns, and 253 parishes. It lies in the province of Canterbury, and the diocese of Winchester. It sends 26 members to parliament, returned as follows :—Two knights by the county,
and

and two burgesſes by each of the following towns; Southampton, Portſmouth, Newport, Yarmouth, and Newton in the Iſle-of Wight, Lymington or Liminton, Chriſtchurch, Andover, Whitchurch, Petersfield, and Stockbridge.

POLITICAL CHARACTER.—This county has, from its maritime ſituation, many ports in it, where a great number of cuſtom-houſe officers, and others, under the immediate controul of government, reſide. The intereſt ariſing from this connexion, as well as from the dock-yard at Portſmouth, is ſo great, as to ſuperſede ariſtocracy itſelf; and the adminiſtration for the time being have generally the nomination of its members, which may be eaſily evinced by the laſt return, when the numbers were, for

Sir W. Heathcote, bart.	2013
William Chute, eſq.	- 1805
Lord J. Ruſſel	- - 1290
J. C. Jervois, eſq.	- 1232

PORTSMOUTH.

POLITICAL CHARACTER.—The right of election in this town being excluſive in the corporation, conſiſting of a mayor, recorder, 12 aldermen, and an indefinite number of burgesſes, like that of Plymouth, the ſame influence prevailed here for a great number of years, and the admiralty

was

was always admitted to have the nomination of its members. This corporation, however, being chiefly composed of men of independent fortunes, and inimical to the American war, and to the unconstitutional measures of Lord North's administration, refused to accept the ministerial nomination of the late Peter Taylor, esq. the army commissary, upon the death of the late Sir Matthew Featherstonhaugh, in 1774, and invited Joshua Iremonger, of Wherewell, in this county, a gentleman of great opulence and independence, to oppose the government interest. The patriotic party had not yet acquired a sufficient strength to overcome that influence which had usually prevailed here, so that Mr. Taylor carried his election by a majority of three votes.

This opposition to government irritated them to such a pitch, as to cause them, the ensuing term, to move the court of King's Bench for informations in the nature of *Quo Warranto*, against the mayor, several of the aldermen, and 63 of the burgessees. These informations having been severally obtained, and trials had thereon, judgment of ouster was issued against the whole number. Similar informations were then moved on behalf of the patriotic against the ministerial

rial party, and 29 of the latter were likewise ousted.

These judgments left the corporation without a mayor or recorder: only four aldermen remained in their offices, and a few of the burgessees. Administration had now so far succeeded, as to have a clear majority in this garbled corporation; but, of the four remaining aldermen, Wm. Carter, sen. esq. Mr. White, Mr. Linzee, and Mr. Varloe, the two former being in the independent interest, and the two latter in that of government; and as the power of making aldermen, and nominating candidates for the office of mayor, is vested by the bye-laws of the corporation in the court of aldermen, no election could legally be made for either. The majority of burgessees who were in the interest of government, however, assembled, and assumed to themselves a power of choosing a mayor, and elected Mr. Monday, an officer of the customs in this port, and one of the burgessees, into that office. This election being illegal, judgment of ouster was soon obtained against him; but the burgessees still persevered in the same mode of election; and as often as judgment of ouster was obtained against one, they set about electing another of their own party, and continued this practice for nearly nine years, at the expiration

tion of which time, Linzee and Varloe, the two ministerial aldermen, died, and left the corporate power in the hands of their opponents. The Earl of Sandwich, who had been considered the patron and supporter of the ministerial party in this borough, being about this time removed from the office of first lord of the admiralty, they lost that support by which they were enabled for so many years to carry on their opposition.

The two remaining aldermen, Carter and White, having now the sole command of the corporation, and the election of mayor of necessity falling upon one of them, Mr. Carter was accordingly chosen on the Michaelmas day following.

The corporation having once more obtained a legal form, a court of aldermen was held, the vacancies were filled up, and a number of new burgessees elected, of such a character and independence, as placed them beyond the reach of improper influence. Sir John Carter, eldest son of the above-named alderman, has ever since been considered the leader and patron of this corporation. The constitutional objections which we have to make against them are, that the majority of them are non-residents; and that by their constitution they elect each other, without the suffrages

suffrages of the inhabitants, who are thereby not only secluded from their natural right of their choice of magistrates, but also from the more important one, of delegating their representatives to the legislature, in whom is the disposal of their liberty, life, and property.

RIGHT OF ELECTION is in the mayor, aldermen, and burgesses of the said borough only, 1695, 24th January.

ANCIENT STATE AND REPRESENTATION.—This town, which may, from having the only regular fortification in the kingdom, be termed the Key of England, was burnt by the French in the reign of Richard II. At first, the town was fortified by a timber wall lined with earth; but Edward IV. built two forts of free-stone at the entrance of the harbour, and Henry VII. made it a garrison. This town sent members as early as Winchester did, which was 23 Edw. I.

CORPORATION.—Portsmouth was last incorporated by Charles I. It is governed by a mayor, recorder, 12 aldermen, and an indefinite number of burgesses.

RIGHT OF ELECTION.—*Jan. 24, 1695, Resolved,* That the right of election of burgesses to serve in parliament for the borough of Portsmouth (in Com. Southampton) is in the mayor, aldermen, and burgesses of the said borough only.

Feb.

Feb. 3, 1710, Resolved, That Joseph Whiteborn, esq. who was elected mayor of the borough of Portsmouth on the 10th day of December, 1709, and had not duly qualified himself for that office according to law, by taking the Sacrament of the Lord's Supper according to the rites of the church of England, within one year next before his election, was not legal mayor of the said borough.

Resolved, That the aldermen, elected during the said pretended mayoralty of the said Mr. Whiteborn, are not legal aldermen, and the burgeses elected during his pretended mayoralty, have not a right to vote in elections of members to serve in parliament for the said borough of Portsmouth.

NUMBER OF VOTERS—60.

RETURNING OFFICER—The mayor.

PATRON—Sir John Carter.

SOUTHAMPTON.

POLITICAL CHARACTER.—This town, which is a county of itself, is remarkable for the respectability of its corporation, which, like that of Poole, to which it is nearly similar in its constitution, is denominated the mayor, bailiffs, and burgeses, though it is customary, as at Poole, to

compliment such of its members as have served the office of mayor, with the title of alderman.

The late Hans Stanley, of famous memory, represented this town near thirty years, and was so profuse in the distribution of court favours, which it is well known were at his disposal, as to bring it into the vortex of government boroughs. So unstable, however, is gratitude thus procured, that they turned his nephew, the present Hans Sloane, esq. out of its representation, a very few years after his death.

The influence in this town is principally in the corporation, although the right of election is in the inhabitant householders paying scot and lot, and their number is near six hundred. The corporation have the power of making non-resident, or honorary burgeses; but they have not yet abused it to any extent.

CORPORATION.—This is the county town, and was incorporated by Hen. II. and John. It was next made a county of itself, by Hen. VI. who thus rendered it independent of the Lord-lieutenant of the county. By its last charter, granted by Charles I. the corporation consists of a mayor, recorder, sheriff, and two bailiffs: all those who have served any of the foregoing offices, constitute the common-council, which consequently are
unlimited

unlimited ; but the corporation have a power of choosing burgesſes, who, although not members of the common-council, are yet of the corporation, and have therefore votes. There are eleven juſtices of the peace ; namely, the mayor for the time being, the biſhop of Wincheſter, the recorder, the laſt mayor, five aldermen, and two burgesſes. All who have paſſed the chair are aldermen. The corporation have ſeveral officers, as, a town-clerk, four ſerjeants at mace, a town-crier, &c. The mayor and bailiffs have a court for the recovery of ſmall debts. All cauſes are tried in the Guildhall, where the quarter ſeſſions are alſo held. The mayor is admiral of the liberties, from South-Sea Caſtle, near Portſmouth, to Hurſt Caſtle, which is ſeated on a neck of land that runs ſo far into the ſea as to form the ſhorteſt paſſage to the Iſle of Wight.

It was here that Canute ridiculed his flattering courtiers, by ſitting crowned, and in his royal robes, on the bank of the river, forbidding the tide to approach his foot-ſtool ; but the ſea, deaf to his commands, and regardless of his threats, continued its wonted courſe, and wetting his majeſty's feet and robes, he ſtarted up, and upbraided thoſe ſycophants with the groſſneſs of their flattery, in pretending that all nature obeyed him.

"Let this convince you, and all the world," added he, "that the power of the greatest monarch is poor and weak, and that none is truly worthy of the title of king, but he, whose will being an eternal law, the heavens, the earth, and the sea obey."

RIGHT OF ELECTION.—*Dec. 31, 1689, Resolved,* That the right of election of burgeses to serve in parliament for the town and county of Southampton, is in the burgeses and inhabitants of the said town.

March 17, 1695, Resolved, That the outliving burgeses, as well as the burgeses inhabitants, and other inhabitants paying scot and lot, have a right to vote for electing members to serve in parliament for the town, and county of the town, of Southampton.

RETURNING OFFICERS. *April 3, 1735, Resolved,* That the mayor and bailiffs of the town, and county of the town of Southampton, are the returning officers for the said town and county.

A SHERIFF RETURNED TO PARLIAMENT.

The inhabitants of Southampton having presented a petition against the return of Mr. Fleming to serve them in parliament, in consequence of his being sheriff of the county at the time of his

his election, a committee was appointed to take the said petition into their consideration. The committee met on the 10th of Feb. 1777, and, after hearing counsel and evidence, determined on the 12th Feb. that the sitting member (Mr. Fleming) was duly elected. The chief ground of their decision was, that this town, being a county of itself, and that the mayor and bailiffs proceeded to the election by virtue of a writ from the crown, and not under the authority of a precept from the sheriff of Hampshire, it did not incapacitate the sitting member.

NUMBER OF VOTERS—About 600.

RETURNING OFFICERS—The mayor and bailiffs.

STOCKBRIDGE.

POLITICAL CHARACTER.—The right of election in this borough is in the inhabitants house-keepers, paying scot and lot. The frequent petitions which have been presented to parliament on the score of bribery, shew, either that this borough is more than ordinarily open to corruption, or that it is more shameless in the exercise of it. The petition of Mr. Barham and Mr. Porter, against Major Scot and Mr. Cator, the sitting members, has lately brought a system of bribery before the

house, more disgraceful than even those which have been related of Shaftesbury, Hindon, Cricklade, or Shoreham, and caused a bill to be brought into parliament for the disfranchisement of the borough; but, by the usual management practised upon these occasions, it was disposed of by a side-wind motion. Mr. Barham is now purchasing up the houses in the borough, and is likely to become sole proprietor of it.

The bailiff, who is generally an inn-keeper, or one dependant upon an inn-keeper, is the returning officer at elections: for it is said that the inn-keeper, in order to have an opportunity of receiving bribes upon these occasions, without being liable to the penalty, has frequently procured one of his own hostlers to be elected bailiff, and has himself carried the mace before him.

The ingenious Sir Richard Steele, who represented this borough in the reign of Queen Anne, carried his election against a powerful opposition, by the merry expedient of sticking a large apple full of guineas, and declaring it should be the prize of that man whose wife should first be brought to-bed after that day nine months. This, we are told, procured him the interest of the women, who are said to commemorate Sir Richard's bounty to this day, and once made a strenuous

nuous effort to procure a standing order of the corporation, that no man should ever be received as a candidate who did not offer himself on the same terms.

BRIBERY.

November 15th, 1689. 1. Upon special report from the committee of privileges and elections. of gross and notorious bribery at an election for the borough of Stockbridge, in com. Southampton,

Resolved, That W. Montague, esq. is not duly elected a burghers to serve in this present parliament for the said borough of Stockbridge.

2. *Resolved,* That W. Strode, esq. is not duly elected a burghers, &c.

3. *Resolved,* That the said election is a void election.

4. *Ordered,* That Richard Hewes, the bailiff, P. Robinson Gatehouse, and S. Hall, be sent for into custody of the serjeant at arms, for giving and taking bribes at the said election.

5. *Resolved,* That W. Montague, esq. be disabled from being elected a burghers to serve in this present parliament for the said borough of Stockbridge.

T 4

6. That

6. That a debate arising touching the disfranchising the said borough for ever hereafter from sending burgesses to parliament, and that instead thereof two more knights of the shire be chosen for the county of Southampton.

Resolved, That the debate be adjourned till Monday morning next, at ten o'clock.

November 27th, 1789. 7. A petition of R. Hewes, &c. inhabitants of Stockbridge, that they were very sorry they had incurred the displeasure of the house by discouraging the giving money, and by other irregularities at the late election there, which they had not done, but that they were so near ruin by the late king's army continually quartering upon them, and praying the consideration of the house, and to be discharged from their confinements. The petitioners being called up, and severely reprov'd by Mr. Speaker for their offences, were discharged on paying their fees.

8. *Resolved*, That the said election for the said borough of Stockbridge is a corrupt and a void election.

9. *Resolved*, That the bill be brought in for disabling the said borough of Stockbridge to send burgesses to serve in parliament for the future.

And

And the said bill was brought in the same session, and read a first and second time, and committed.

7th February, 1693. 10. A petition of the bailiffs and inhabitants of the said borough of Stockbridge was presented to the house and read, praying that the bill may be withdrawn, and that the ancient frame and constitution of the said borough, in sending members to parliament, may not be altered.

Resolved, That the said petition be rejected.

Eodem die, 11. Another petition of the bailiff and inhabitants of the town of Stockbridge, praying to be heard by their counsel against the said bill, was also rejected.

12. And the bill was afterwards engrossed, and read a third time; but on the third reading the question being put that the bill do pass,

It passed in the negative; and afterwards,

April 19th, 1694. A motion being made, and the question being put, that a warrant be now directed to the clerk of the crown to make out a new writ for the electing a burgesse to serve in this present parliament for the borough of Stockbridge, in the county of Southampton, in the room of Richard Whitbread, esq.

It passed in the negative.

22^o Februarii, 1793.

The Hon. Edward James Eliot reported from the committee appointed to try and determine the merits of the Stockbridge petition ;

“ That John Cator, esq. and John Scot, were *not* duly elected ;

“ That Joseph Foster Barham, esq. and George Porter, esq. were duly elected, and ought to have been returned ;

“ That William Newman was the proper returning officer at the last election for the said borough of Stockbridge ;

“ That it appears to this committee, That there was the most *notorious bribery and corruption* at the last election of members to serve in this present parliament, &c.

“ That it is the opinion of this committee, That the said bribery and corruption *require the most serious consideration of parliament.*

“ That the said report be taken into further consideration on the 7th day of March next.”

After several adjournments, it was ordered, on the 18th day of March following, “ That leave be given to bring in a bill for preventing bribery and corruption in the election of members to serve in parliament for the borough of Stockbridge.

20 Martii.

20^o Martii.

Mr. E. J. Eliot presented to the house a bill for the preventing bribery and corruption in the election of members to serve in parliament for the borough of Stockbridge, &c.

A motion being made, That leave be given to bring in a bill to incapacitate William Bern, John Horner, William Horner, James Cooper, William Eles, William Thomas, Thomas Hamer, John Hulbert, John Hulbert senior, James Gornal, George Woodford, Thomas Major, John Abbot, Thomas Mabberley, William Beaumont, John Goddard, John Bern senior, Joseph Nicholas, Benjamin Rogers, Charles Stanbridge, Thomas Cooper, John Elton senior, William Elton, Richard Geary, John Ventham, William Briant, Edward Hayter, William Cooper, Charles Blunden, John Woodley, Robert Gatehouse, William Tonge, John Hulbert senior, Charles Salter, John Pither, Job Darnford, John Boscall, William Tibble, Hugh Goddard, Edward Bartley, Hugh Cooper, John Saunders, John Edmonds, James Harris, Thomas Haines, John Elton senior, James Elton, Josiah James, Joseph Coles, John Arlett, William Haines, George Sainsbury, Edward Wigg, William Spencer, William Stacey, William Halbert, Samuel Cole, William Hayter, George Reekes,

Reckes, Solomon Bedford, Thomas Miller, Jonn Bixey, and John Tultley,* electors of members to serve in parliament for the borough of Stockbridge, from voting hereafter at elections of members to serve in parliament.

Petitions were presented and heard against the above bill, which were productive of various adjournments; till an adjournment beyond the session, as in the case of Hindon, Shaftesbury, &c. took place, and the bill was lost.

These worthy electors are therefore still at liberty to return two members to the house of commons every succeeding parliament, to represent seven millions of people in the British senate!

POLITICAL ANECDOTE.

In a pension-list published in the reign of Charles II. there appears the following extraordinary paragraph:

"Sir Robert Howard (member for Stockbridge) auditor of the receipts of the exchequer, £.3000 *per annum*. Many great places and boons he has had; but his wh—uphil, spends all, and now refuses to marry him."

NUMBER

* In all, sixty-three, being a considerable majority of the electors of the borough.

NUMBER OF VOTERS—102.

CORPORATION—None.

RIGHT OF ELECTION—Is in all the inhabitants paying scot and lot.

RETURNING OFFICER—A titular bailiff.

PATRON—I. Foster Barham, esq.

CHRISTCHURCH.

POLITICAL CHARACTER.—There does not appear upon the journals of the house of commons any resolution respecting the right of election in this borough; but Brown Willis, and every other parliamentary writer, states it to be in the inhabitants householders, paying scot and lot. The corporation have, however, assumed to themselves the exclusive right, for a number of years, without any opposition from the inhabitants, and exercise it at present with wonderful address and management.

Edward Hooper, esq. of Herne Court, near this borough, senior commissioner of the customs, has for near fifty years had the controuling interest of this corporation, the direction of which he has lately surrendered to Lord Malmesbury. But Mr. Rose, of the treasury, in imitation of his predecessor, John Robinson, at Harwich, has, since his purchase of the estate at Cusnells, in the New Forest,

Forest, conceived it convenient to realife a fimilar influence, and has accordingly directed the treasury artillery againft the electors of Chrifftchurch. A furrender was foon obtained, and a capitulation agreed on, by which Mr. Rose is allowed the nomination of one of its members. Should any two gentlemen, however, think it proper to offer themfelves at a future vacancy on the right of the inhabitants, and take the fense of a committee of the houfe of commons by petition, on the validity of their claim of fuffrage, there is the beft founded prefumption of fuccefs, as they have not contrary refolutions of former committees to combat, as in the cafes of Pomfret and Poole, but a clear and diftinct right eftablifhed by pre-fcription, and oppofed only by an arbitrary monopoly, fanced by a corrupt uſage of a ſhort period.

RIGHT OF ELECTION—In the inhabitants houfeholders, paying ſcot and lot; but at preſent aſſumed and exerciſed by the corporation excluſively.

CORPORATION—confiſts of a mayor, a recorder, aldermen, bailiffs, and a common-council.

NUMBER OF VOTERS—24

RETURNING OFFICER—The mayor.

PATRONS—Lord Malmefbury, and George Rose, eſq.

MAYOR

MAYOR OF CHRISTCHURCH.

It was determined in the case of the mayor of Christchurch, in the King's Bench (Stra. 1090) that a bare swearing in, and acting, does not make a man an officer, *de facto*, and that, unless there is some form of election, he is a mere usurper.

LYMINGTON.

POLITICAL CHARACTER.—The corporation in this borough, consisting of the mayor and burgeses, have the exclusive right of the election of members of parliament, and are all under the influence of Sir Harry Burrard, bart. by whose means the majority of them have obtained a number of those benevolences, which render them indeed obnoxious to Mr. Crew's bill; but are, notwithstanding that, liberally distributed by the treasury amongst the immaculate boroughs.

CORPORATION.—This ancient borough is a corporation by prescription, consisting of a titular mayor, aldermen, and burgeses, without limitation; the mayor is annually chosen by the burgeses within and without the borough, and sworn at the court-leet of the lord of the manor.

RIGHT

RIGHT OF ELECTION.

October 29, 1691. Resolved, That the mayor and burgeses of Lymington only have a right to elect a burges to serve in parliament for that borough.

Jan. 18, 1695. Resolved, That the right of electing burgeses to serve in parliament for the borough of Lymington is not in the mayor, burgeses, and commonalty of the said borough, paying scot and lot.

Resolved, That the right of electing members to serve in parliament for the said borough of Lymington, is only in the mayor and burgeses of Lymington, exclusive of the commonalty, paying scot and lot.

Jan. 11, 1710. Resolved, That the right of election of burgeses to serve in parliament for the borough of Lymington, in the county of Southampton, is not in the mayor, burgeses, and inhabitants of the said borough not receiving alms.

Resolved, That the right of election of burgeses to serve in parliament for the borough of Lymington, in the county of Southampton, is in the mayor and burgeses of the said borough only.

NUMBER OF VOTERS—18.

RETURNING OFFICER—The mayor.

YARMOUTH, ISLE OF WIGHT.

POLITICAL CHARACTER.—Contains about 50 houses, cottages included. The right of election is in the capital and free burgeses. The free burgeses are chosen from the capital burgeses; and are unlimited by the constitution of the borough; but at present there are only nine.

Mr. Holmes, and Mr. Jervois Clarke Jervois, have each their friends and dependants as burgeses; and by mutual compact have agreed that each shall nominate one of the two members. The capital burgeses are equally divided between the two parties, as follows:

No. 1. Mr. Holmes.

2. ——— His brother-in-law.
3. ——— His own brother.
4. ——— His brother-in-law.
5. ——— His son-in-law.
6. ——— The recorder of Newport.
7. Mr. Jervois.
8. ——— A clergyman who has good preferment by means of Mr. Jervois's interest.

- 9, 10. ——— Mr. Jervois's friends live
in London.
- 11, 12. ——— Live in or near Havant.

FREE BURGESSES.

- No. 1. A near relation of Mr. Holmes.
2. A gentleman of Wiltshire.
- 3, 4. Doubtful if living—connected with
No. 2.
5. Formerly a tenant to Lord Holmes.
6. Ditto, and now to Mr. Holmes.
7. Ditto.
8. A barber and sloopfeller, the only resident.
9. Collector of the salt duties in Cheshire,
formerly in the Isle of Wight.

These free burgesses are of old standing, and will not be made capital.—Formerly they were many (the number being unlimited); but in the year 1756, after a dispute between Mr. Holmes and Mr. Jervois, and the Leigh family of North Court, in the island (of which Mr. Jervois's lady was a part), a compromise took place, by which it was stipulated, that a great number of free burgesses, then newly made, should be disfranchised, which was accordingly done; that each party should thenceforth name one member; and, to keep the interests even, whenever a capital burgess should die, the side to which he belonged should
imme-

immediately nominate another person to be a free burghes, and then make him capital, as the charter prescribes.

From this state of facts, it is plain that the four members of Newport and Yarmouth are returned by only two persons; three by Mr. Holmes, with the minister's assistance, and one by Mr. Jervois. The members for Newton are chosen at present by four persons; in all, six members, by six electors only: and this small body may be further diminished by an union of interests in the borough of Newton, between the Worsley family and Mr. Holmes; in which case four men would return six persons to represent them in parliament. If this unadorned recital does not impress on the mind the fullest conviction of the absolute necessity of some reform in the representation, it is surely fair to conclude, that the utmost power of reason and eloquence would be exerted in vain.

CORPORATION consists of a mayor and twelve burghesses, according to a charter granted in the 7th of James I.

RIGHT OF ELECTION. *April 11th, 1717, Resolved,* That the bye-law made the 21st of Sept. 1670, by the mayor and five chief burghesses of Yarmouth in the Isle of Wight, being the major part of the chief burghesses then existing for
W 2
electing

electing free burgesses by the mayor and five chief burgesses, was a good bye-law.

19 Jan. 1769, *Resolved*, That Thomas Grimes, esq. being elected a chief burgess during the pretended mayoralty of John Leigh, esq. whom the House resolved was not legally elected a chief burgess of the said borough, was therefore incapable of being elected mayor of the said borough, on the 21st of September, 1765.

Resolved, That the Rev. Dr. Walker, and the Rev. Mr. John Oglander, being elected chief burgesses during the pretended mayoralty of the said Thomas Grimes, were not legal chief burgesses of the said borough.

Resolved, That the election of the twenty-five free burgesses, objected to by the counsel for the petitioners, elected during the present mayoralty of the said Thomas Grimes, esq. at an assembly, in which the said Dr. Walker and Mr. Oglander attended, and voted as two of the five chief burgesses in the election of the said twenty burgesses, was illegal and void.

NUMBER OF VOTERS—21.

RETURNING OFFICER—The mayor.

NEWTON, OR NEWTOWN.

POLITICAL CHARACTER. It is a decayed place, containing only about 10 cottages, and of course
very

very few inhabitants. The right of election is attached to 39 borough lands, or burgage tenures. One elector only resides in the place; the burgage tenures are in the following hands: the real owners convey them to their relations, friends, or dependants for life, but in confidence to vote as directed by them. The number has been increased to 39 by splitting 3; which are therefore conceived not to be good votes.

Sir Richard Worsley (of these, 2 are split)	*12
Sir John Barrington	8
Mr. Holmes (of these 1 are split)	7
Sir William Oglander, as trustee for William the son of Edward Meaux Worsley, esq. (3 split)	3
Sir William Oglander	2
John Urry, esq.	2
The co-heirs of John Leigh, esq.	1
Maurice Bisset, esq.	1
The heir of Robert Pope Blachford, esq.	1
William Hill, esq.	1
William Harvey, a husbandman	1
	39

U 3

From

* Two of these were sold by Lord Edgecumbe to Sir Richard Worsley in 1782 for 1000 guineas, though only two decayed cottages.

From whence we may see that the number of actual voters is about 33. The revenue-officers bill has taken off one vote only.

Sir Richard Worsley and Sir Fitz-William Barrington are at present united; and it is evident, that with the assistance of Mr. Blanchford, who is son-in-law to the latter, and any one other person, they have a decisive majority.

CORPORATION. — None. It has however a titular mayor, and 12 burgessees, chosen by the lord of the manor.

RIGHT OF ELECTION. *April 22, 1729, Resolved,* That the right of election of burgessees to serve in parliament for the borough of Newtown, in the Isle of Wight, in the county of Southampton, is in the mayor and burgessees of the said borough, having borough lands within the said borough.

NUMBER OF VOTERS—39.

RETURNING OFFICER—The mayor.

POLITICAL ANECDOTE.

In the pension-list of Charles II. this paragraph appeared—"Sir John Holmes, Sir Robert's brother, and member for Newtown, a cowardly, baffled sea-captain, twice boxed, and once whipped with a dog-whip, was chosen in the night without the

the head officer of the town, and but one bur-
gefs present ; yet voted this laft feffion, and will
be re-elected."

NEWPORT.

POLITICAL CHARACTER.—This borough was formerly under the influence of the father of the prefent Duke of Bolton, at whose deceafe the late Lord Holmes, of the kingdom of Ireland, took the lead of the corporation, and held it during his life. Upon the demife of that nobleman, the intereft defcended with his eftate to his nephew, the Rev. Leonard Troughear, who has fince taken the furname of Holmes, and is the prefent patron of the borough. This borough contains about 500 houfes, and between 2 and 3000 inhabitants ; out of the moft difcreet and fubftantial of whom the charter directs, that the corporation, confifting of 12 aldermen and 12 burgeffes, fhall be chofen in the following manner ; viz. That when a vacancy happens in the court of aldermen, one of the 12 burgeffes be elected to fucceed him ; and that his place be filled by taking a new burgefs from among the inhahitants. In this corporation, confifting of 24 members, the right of electing the members of parliament for the town is vefted. One who was an officer in the customs was dis-

franchised by a late act; and 17 only, at most, of the electors are resident.

The following is a list of the members of the corporation.

ALDERMEN, 12.

1. The mayor.
2. The recorder. A master in chancery, and commissioner of taxes; a place worth 500*l.* *per annum.*
3. An apothecary in the town; not on the best terms with the mayor.
4. An attorney; brother-in-law to the mayor, but not at present on his side.
5. Brother to the mayor; a commissioner of the lottery.
6. Has a gunner's pay in one of the castles on the island.
7. A clergyman; chaplain to the governor; a sinecure.
8. A mercer in Newport.
9. Has a gunner's pay.
10. The same.
11. Nephew to the mayor.
12. A brewer in the town.

BURGESSES, 12.

1. A land-surveyor in the Customs at Cowes.
2. A captain in the navy; married a niece of the recorder's.

3. A

3. A relation of the mayor's; captain in the South Hants militia.

4. A carpenter,

5. An inn-keeper in the town.

6. A taylor in ditto; deputy-keeper under the mayor of the forest of Parkhurst, in the island.

7. Late a school master in the town.

8. Has a gunner's pay.

9. Captain of the Isle of Wight militia.

10. An apothecary.

11. Son to the alderman, No. 8.

12. Son-in-law to the mayor, and steward to the governor of the Isle.

The aldermen, No. 1, 2, 5, & 11, and the burgeses, No. 1, 2, 3, 4, & 12, do not at present live in Newport; nor did they, but for a few months previous to their several elections, when, by taking houses, and paying to the rates, they made themselves inhabitants, such as the charter describes; viz. the most discreet and substantial.

AN ANECDOTE

Occurs in the history of this borough, which deserves to be recorded in characters of gold.—

On the death of the late Lord Holmes, a very powerful attempt was made by Sir William Oglander, and some other neighbouring gentlemen,

men, to deprive his lordship's nephew and successor, the present Rev. Mr. Troughear Holmes, of his influence over this corporation. The number of that body was at that time *twenty-three*, there being one vacancy amongst the aldermen, occasioned by the recent death of Lord Holmes. Eleven of them continued firm to the interest of the nephew, and the same number was equally eager to transfer that interest to Sir William Oglander and the Worsley family. A Mr. Taylor of this town, one of the burgesses, withheld his declaration; and as his vote would decide the balance of future influence, it was imagined that he only suspended it for the purpose of private advantage. Agreeably to that idea, he was eagerly sought by the agents of each party. The first who applied is said to have made him an offer of 2000*l*. Mr. Taylor had actually made up his mind to have voted with his party; but the moment his integrity and independence were attacked, he reversed his determination, and resolved to give his suffrage on the opposite side. That party, however, like their opponents, being ignorant of the favour designed them, and of the accident to which they owed it, assailed him with a more advantageous offer. He informed them that he had but just formed the resolution, in consequence

sequence of a similar insult from their adversaries, of giving them his support; but since he had discovered that they were both aiming at power by the same means, he was determined to vote for neither of them: and to put himself out of the power of further temptation, he resolved to resign his gown as a burghess of the corporation; which he accordingly did the next day.

CORPORATION.—By charter of the 13th of Charles II. Newport is governed by a mayor, eleven aldermen, and twelve burghesses.

RIGHT OF ELECTION.—Is in the mayor, eleven aldermen, and twelve burghesses.

NUMBER OF VOTERS—24.

RETURNING OFFICER—The mayor.

PATRON — The Rev. Leonard Troughear Holmes.

WINCHESTER.

POLITICAL CHARACTER.—Although this city has above a thousand houses, its representation does not extend beyond the corporation, whose number is indefinite; but they seldom exceed four score, the majority of whom are non-resident. This ancient and opulent city may therefore be said to be represented by two members, chosen by fifty individuals collected from various parts of the country, whose only connexion with the place

place is that of having obtained the name of *freemen*, from the *fiat* of the mayor and aldermen.

The influence was formerly with the Duke of Bolton ; but for the last twenty years it has been assumed by the late Duke of Chandos, and Henry Penton, esq. letter-carrier to his Majesty. Since the death of the Duke of Chandos, his share of the influence has been directed by Mr. Gamon, brother of the Dukes of Chandos, and Mr. Penton, the present recorder.

CORPORATION.—Here are, by Queen Elizabeth's charter, a mayor, recorder, six aldermen, two bailiffs, and twenty-four common councilmen.

RIGHT OF ELECTION.—The members are elected by the corporation.

NUMBER OF VOTERS—60.

RETURNING OFFICERS—The bailiffs.

PATRONS—Henry Penton, esq. and Richard Gamon, esq.

POLITICAL ANECDOTE.

In a pension-list of Charles II. the following anecdote appears : " Sir Robert Holmes, member for Winchester, first an Irish livery boy, then a high-

highwayman, now bashaw of the Isle of Wight, got in boons, and by rapine, 100,000*l*.—The cursed beginner of the two Dutch wars.”

ANDOVER.

POLITICAL CHARACTER.—The corporation of this town, like that of Christchurch, have assumed the exclusive privilege of election, but with much better pretensions than the latter, as they have the sanction of a resolution of the house of commons, of the 1st of April, 1689, and again confirmed the 28th of January, 1702. The corporation consists of twelve capital burgeses, from amongst whom a bailiff and two other magistrates are annually chosen, and twelve assistant burgeses. They have also a high steward, recorder, and town clerk.

The inhabitants of this town, who are numerous, there being upwards of six hundred houses, have never submitted but with regret, and the strongest opposition, to the deprivation of their rights, which they had exercised till 1689, and were then disfranchised by one of those arbitrary resolutions of the house of commons, which brought their decisions into such general disrepute, as to give life to the Grenville act, which is a security to the country against future encroachments

encroachments on the people's rights; but, alas! it does not remove from the journals those numerous resolutions of disfranchisement, which affect not only this town, but the towns of Banbury, Beaumaris, Bewdley, and above a hundred more, together with the populous cities of Bath, Salisbury, Winchester, &c. &c. &c. Had the acts of the tenth, eleventh, and twenty-eighth of George III. better known by the name of the Grenville acts, repealed, or caused to be expunged, all the resolutions of the house of commons, respecting the right of election in cities, towns corporate, boroughs, cinque-ports, &c. and then left the question of right open to a committee of the house of commons, constituted as that act directs, and subject to an appeal, as is enacted in the last-mentioned statute, this intolerable grievance might in time have been corrected, and the large and popular towns and cities, at least, have been restored to their natural and constitutional privileges.

The political annihilation of cities and towns, such as Ely, Manchester, Leeds, &c. which formerly sent members to parliament, and the limitation of the right of franchise to the corporations of others, has reduced the constitution to a wreck, the representation to a form, the substance to

to a shadow; and it is now impossible to restore it to its essence, vigour, and purity, but by a radical, effectual, and universal reform.

The patrons of this corporation, who have the nomination of their members, are the Earl of Portsmouth, their high steward, and Joshua Iremonger, of Wharewel, esq.

CORPORATION.—This town, it is said, had its first charter from King John, but was last incorporated by Queen Elizabeth, and is governed by a bailiff, a steward, a recorder, two justices, nine capital burgesses, and twelve assistants, who annually choose the bailiff, and the bailiff appoints two serjeants at mace to attend him.

RIGHT OF ELECTION.—In the bailiff and select number of burgesses *only*, 1st April, 1689.

Jan. 28, 1702, Resolved, That the right of election of burgesses to serve in parliament for the borough of Andover, in the county of Southampton, is in the bailiff, and select number of burgesses only.

March 7, 1727, Resolved, That the approved men and burgesses of the borough of Andover (in com. Southampton), who have petitioned this house, complaining of an undue election and return for the said borough, and that their votes were

were refused by the bailiff, be at liberty to withdraw the said petition.

NUMBER OF VOTERS—24.

RETURNING OFFICER—The bailiff.

PATRONS—Earl of Portsmouth, and Joshua Iremonger, esq.

BRIBERY.

March 17, Resolved, That the electors of the borough of Andover (in com. Southampton), have endeavoured corruptly to set to sale the election of a burghers to serve in this parliament for the said borough.

Resolved, That the lending of money, upon any security, to a corporation which send members to parliament, and remitting the interest of the same, with intent to influence the election of such corporation, is an unlawful and dangerous practice.

WHITCHURCH.

POLITICAL CHARACTER.—This borough is the joint property of Lord Viscount Sydney and Lord Viscount Middleton, of the kingdom of Ireland; the freeholds which give the right of voting, being conveyed by those noblemen to their respective friends, for the purpose of performing the

freeholds are about seventy, but the actual number of electors cannot be said to be more than two.

CORPORATION—None. Here is, however, a titular mayor, annually chosen at a court-leet of the dean and chapter of Winchester, who are lords of the manor.

RIGHT OF ELECTION.—*Dec. 21, 1708, Resolved*, That the right of electing burgeses to serve in parliament for the borough of Whitchurch, in the county of Southampton, is in the freeholders only of lands and tenements, in right of themselves or their wives, not split since the act of the seventh and eighth years of the reign of King William.

NUMBER OF VOTERS—70.

RETURNING OFFICER—The mayor.

PATRONS—Lord Sydney and Lord Viscount Middleton.

PETERSFIELD.

POLITICAL CHARACTER.—The right of election in this borough being in the freeholders of lands, or ancient dwelling-houses or shambles, built upon ancient foundations within the said borough, being all the property of W. Jolliffe,

esq. the nomination of the members is solely in himself.—This gentleman's political character is too well known to need any animadversion from us.

CORPORATION.—This town was incorporated by Queen Elizabeth, and governed by a mayor and commonalty: yet it has given up all its privileges to the family of the Hamborrows, now descended to Mr. Jolliffe, who is lord of the manor, and at whose court the mayor is now annually chosen.

RIGHT OF ELECTION. *May 9, 1727,* Mr. Gibbon (according to order) reported from the committee:

Resolved, That it is the opinion of this committee, that the right of election of burgeses to serve in parliament for the borough of Petersfield, in the county of Southampton, is in the freeholders of lands, or ancient dwelling-houses or shambles, or dwelling-houses or shambles built upon ancient foundations, within the said borough.—Agreed to by the house:

NUMBER OF VOTERS—154.

RETURNING OFFICER—The titular mayor.

PATRON—William Jolliffe, esq.

CASE

CASE OF BRIBERY.

On Thursday the 16th of November, the committee being met, the petition of Mr. Luttrell was read, the entry of which in the journals is, verbatim, as follows :

Oct. 31, 1775. A petition of the Hon. John Luttrell was read, setting forth, that at the last election of members to serve in parliament, for the borough of Petersfield, Sir Abraham Hume, baronet, high sheriff for the county of Hereford, William Jolliffe, esq. and the petitioner, were candidates ; and that the said Sir Abraham Hume and William Jolliffe, by themselves and their agents, after the dissolution of the last parliament, and the issuing of the writ for the election, and previous to and during the poll, by themselves and their agents, and by other ways and means, on the behalf and at the charge of the said Sir Abraham Hume and William Jolliffe, did give, present, and allow to the electors of the said borough, and to several persons who had or claimed a right to vote in the election for the said borough, money, meat, drink, reward, entertainments, and provision, in order to procure themselves to be elected for the said borough, in open defiance of the law ; and that the said Sir Abraham Hume

and William Jolliffe, previous to, and during the poll, were guilty of bribery and corruption, and attempting to bribe and corrupt those who had a right to vote in the said election, in order to procure themselves to be returned as persons duly elected; and that James Showell, pretending to be the mayor of the said borough, acted partially and unfairly in the execution of his office, as a returning officer, during the said poll, in rejecting good votes for the petitioner, and admitting bad ones for the said Sir Abraham Hume and William Jolliffe, and in many other respects; and that, by the said and other undue means, the said Sir Abraham Hume and William Jolliffe obtained a majority of votes on the poll, and were returned accordingly to serve in parliament for the said borough, in prejudice of the petitioner (who was duly elected, and ought to have been returned), and the legal electors of the said borough, and in open defiance of the law and freedom of elections; and therefore praying the house to take the premises into consideration, and to grant him such relief therein as shall, upon examination, appear to be just.

The counsel for the petitioner opened the case, by objecting to Sir Abraham Hume, that, being
high

high sheriff for the county of Hertford at the time of the election, he was ineligible ; and that notice thereof having been given to the returning officer and to the electors, the votes given to him were thrown away :

To both the sitting members, That they had been guilty of corrupting the voters by gifts and promises, after the vacancy and issuing out of the writ, by which means the election of them was void by virtue of the statute of King William*.

After some conversation, between the counsel of both parties on the above subject, the committee

Resolved, That the counsel be not permitted to argue the point of the ineligibility of Sir Abraham Hume as high sheriff of the county of Hertford, the same ineligibility not being an allegation in the petition.

The counsel for the petitioner then called three or four witnesses to prove that gifts and promises had been made by Mr. Jolliffe, in the presence, and with the concurrence of the other sitting member. In their opening, they did not allege that they could on this ground bring the majority of votes against either of the sitting

X 3

members

* 7 William III. c. 4.

members to be in favour of Mr. Luttrell; the object, therefore, of the evidence, was to make the election void as to one or both. In the course of this evidence one John Newman was called, to prove a declaration made to him by one John Blackstone, a voter, about having the promise of a house from Mr. Jolliffe for his vote.

On the part of the sitting members this evidence was objected to.

It was said, that although the declaration (not upon oath) of a person who cannot be obliged to be a witness on the subject himself, is admissible in evidence to affect such person, yet it is not admissible as against a third party; and that, as the counsel for the petitioner had not said that they meant to disqualify voters, but only to affect the sitting members personally by promises, gifts, &c. which they had made, the evidence would not be admitted for that purpose.

It was answered by the counsel for the petitioner, that they were not obliged to anticipate the intent and purpose of the evidence they produced; that what they now offered, was certainly competent in an election cause; and that the committee, after they should hear it, would judge to what use it ought to be applied.

The

The committee, after deliberation,

Resolved, That the evidence offered could not be admitted in support of any charge against Sir Abraham Hume or Mr. Jolliffe.

The counsel for the petitioner then said, they would ask the same questions with a view to disqualify Brackstone ;

Which they were allowed to do.

On Thursday the 16th of November, being the same day on which the cause was heard, the committee, by the chairman, informed the house that they had determined,

That the two sitting members were duly elected.

HEREFORDSHIRE.

POLITICAL CHARACTER.

THE aristocratic influence which prevails in this county, is that of the Earl of Oxford, who sends one of the members to parliament. James Walwyn, esq. one of the members for the city of Hereford, in conjunction with Sir George Cornwall, bart. nobly attempted, in the year 1775, to get the better of that interest ; but they were successful only in part : Sir George Cornwall was elected by the independent interest,

rest, and Mr. Harley by the interest of the Earl of Oxford.

This county contains eleven hundreds, in which are one city, and seven market towns, viz. the city of Hereford, Bromyard, Leominster, Ledbury, Kington, Pembridge, Weobly, and Ross. It is in the province of Canterbury and diocese of Hereford, and includes 176 parishes, 15,000 houses, and 95,600 inhabitants. It sends eight members to parliament, two for the county, two for the city of Hereford, two for the borough of Leominster, and two for that of Weobley.

HEREFORD.

POLITICAL CHARACTER. This city, like the county, is divided between aristocracy and independence.—The Duke of Norfolk's interest returns one member, and the independent part the other. The influence which the Duke has in this borough, arises from his marriage with the heiress of the Scudamore family, (by whom his Grace is put into the possession of an estate of ten thousand pounds *per annum*, and Holme Lacey, the ancient family-seat near this city) and from that popularity to which his eminent talents and affable manners so justly entitle him.

CORPORATION

CORPORATION—Consists of a mayor and twelve aldermen, a high steward, a deputy steward, a recorder, and town clerk, with 31 common-councilmen, among whom are reckoned the mayor and five of the aldermen, by charter of 17 James I.

RIGHT OF ELECTION—In the freemen.

NUMBER OF VOTERS—Above 1200.

RETURNING OFFICER.—The mayor.

PATRON—Duke of Norfolk, partially.

LEOMINSTER.

POLITICAL CHARACTER. This borough, during the lifetime of Chase Price, esq. of convivial memory, was entirely under his influence and management.—He always contrived to get himself, and a colleague in the interest of government, returned, from whom he procured not only a large *douceur* for himself, but also a few trifling gratuities from administration, for those who were the most zealous in his cause. After his decease, Lord Bateman, who has been the adherent of every administration, became the patron and manager of this borough, which character he has now resigned to Mr. Alderman Harley, when the Duke of Norfolk first attempted the establishment of an interest; and
Richard

Richard Beckford, esq. was introduced by his Grace.

The corporation magistrates, having the appointment in themselves of the overseers, took care that that office should be filled with their own creatures; and those men thus appointed, refused, as in the borough of Seaford, to rate any inhabitant who was adverse to their own party. The persons who had been thus treated, appealed to that tribunal which had been the primary cause of an attempt to deprive them of their votes, and they of course could meet with no redress. They however derived, from this appeal the privilege of proving their rateability to a committee of the house of commons, who have, upon the petition of Mr. Beckford, admitted every person, so omitted by the overseers, to the full enjoyment of their political franchise. But unless there be a law, prohibiting the magistrates and overseers from acting in this scandalous and partial manner, or committees of the house of commons will inflict exemplary punishments, the evil will not be done away, and those unfortunate men, whose interests or inclinations may induce them to clash with those of the magistrates, will still be left without
any

any mode of redress, except that of petitioning the house of commons.

The numbers upon the poll at the last election were, for

John Hunter, esq. 303

John Sawyer, esq. 247

Richard Beckford, esq. 235

CORPORATION.—This town was incorporated by Queen Mary, and is governed by a high steward, a bailiff, a recorder, and twelve capital burgesses, who choose a bailiff and a town clerk.

RIGHT OF ELECTION.—*March 4, 1716.* A petition of divers of the inhabitants of the borough of Leominster, in the county of Hereford, was presented to the house, and read, complaining of an undue election for the said borough. And a motion being made, and the question being put, that the said petition be referred to the committee of privileges and elections, and that they do examine the matter thereof, and report the same, with their opinion thereupon to the house,

It passed in the negative.

Resolved, That the said petition be rejected.

April 6, 1717. A petition of the inhabitants and burgesses of the borough of Leominster, in the county of Hereford, who have a right of voting for electing members to serve in parliament
for

for the said borough, was presented to the house, and read, complaining of an undue election and return for the said borough.

Ordered, That the said petition be referred to the consideration of the committee of privileges and elections, and that they do examine the matter thereof, and report the same, with their opinion thereupon, to the house.

April 16, 1725. Resolved, that the right of election is in the bailiffs, capital burgessees, and inhabitants, paying scot and lot.

NUMBER OF VOTERS—About 500.

RETURNING OFFICERS—The bailiffs.

PATRONS—Duke of Norfolk, and Mr. Alderman Harley.

WEOBLEY.

POLITICAL CHARACTER. The right of election in this borough being very singular; “in the inhabitants of the ancient vote-houses of 20s. *per annum* value and upwards, residing in the said houses forty days before the days of election, and paying scot and lot; and also in the owners of such ancient vote-houses, paying scot and lot, who shall be resident in such houses at the time of election,” hath given rise to very expensive contests. The Marquis of Bath, then Lord Weymouth, and the

I parish

parish officers in his interest, refused to rate any persons who presumed to oppose his lordship's nomination; upon which the aggrieved persons applied to the court of King's Bench, for a *mandamus* to oblige the parish officers to put them in the poor rates; when the court came to the following very extraordinary decision, 19 George II.* "The court refused to grant a *mandamus* directing to insert particular persons in the poor rate, upon affidavits of their sufficiency, and being left out, to prevent their having votes for parliamentary men; for that the remedy was by appeal: and this court never went further, than to oblige making the rate, without meddling with the question, who is to be put in or left out, of which the parish officers are the proper judges, subject to an appeal." The above nobleman has, however, to avoid all future expences since that time, bought up all the ancient vote-houses, so that this borough is now entirely at his own disposal.

RIGHT OF ELECTION. *March 3, 1736, Resolved,* That the right of burgeses for the borough of Weobley, in the county of Hereford, is in the inhabitants of the ancient vote-houses of twenty shillings *per annum* value, and upwards, residing in

* See Burn's Justice,

in the said houses forty days before the day of election, and paying scot and lot; and also in the owners of such ancient vote-houses paying scot and lot, who shall be resident in such houses at the time of the election.

June 18, 1715. The question being put, that Simon Gough and John Moore, having signed the indenture of return, by which Charles Cornwall, esq. is returned a burghers to serve in this present parliament for the borough of Weobley, in the county of Hereford, the house will proceed on the petition of the said Simon Gough and John Moor, complaining of an undue election of the said Charles Cornwall, esq.

It passed in the negative.

NUMBER OF VOTERS—45.

RETURNING OFFICERS—The constables.

PATRON—Marquis of Bath.

In a pension list published in the reign of Charles the Second, there appears the following instance of court corruption:

Sir Thomas Williams, king's chemist (and member for Weobly), has got 40,000*l.* by making provocatives, &c. &c. !!!

HERTFORD.

HERTFORDSHIRE.

POLITICAL CHARACTER.

THIS county has the singular advantage of maintaining its independence, which it has neglected no opportunity of exerting, when its own dignity, or the interests of the country, demanded a display of it. A noble instance of attachment to the cause of liberty, and to those who had the zeal and integrity to support it, occurs in their conduct to Mr. Cæsar. This gentleman had uniformly opposed the despotic measures of Sir Robert Walpole, and, having deranged his private fortune, was arrested and imprisoned for debt in the King's Bench, immediately upon the dissolution of parliament. The day of election, however, no sooner arrived, than the independent freeholders repaired to Hertford in bodies, and, at their own expence, proposed Mr. Cæsar, and elected him by a great majority. An express was instantly dispatched to release him from his confinement; and he was the next day restored to his liberty, and to the service and affections of his patriotic constituents. An attempt was made, at the last election, to introduce Mr. Hale to the representation of the county,

under the patronage of the Marquis of Salisbury and Lord Viscount Grimstone, but with very little success; the numbers upon the poll being, for

William Plumer, esq.	1831
William Baker, esq.	1302
William Hale, esq.	1031

HERTFORD TOWN.

POLITICAL CHARACTER. The right of election in this borough differing with all others, it being in the inhabitants householders, the freemen resident, and in the freemen *non-resident*, (but the last description must not exceed the number *three*), it becomes necessary to remark these singularities, because they point out an incurable defect in the present system of parliamentary representation. What constitutes a good vote in one borough, makes a bad one in another. In one place the freemen must be resident; in another, non-residence gives the same qualification. In one borough, a man obtains his freedom by marriage; in a second, by birth; in a third, by servitude; in a fourth, by purchase; in a fifth, by gift of the mayor or aldermen. Burgage-holds differ as widely in the nature of their tenure; and even inhabitants are defined as variously

ously. In one borough, paying scot and lot, and being a resident housekeeper, is an indispensable qualification; in another, paying scot and lot without residence, or being a housekeeper, constitutes eligibility for voting; in a third, residence, without paying scot and lot, or keeping a house. In short, the whole representative system is so intricate, inexplicable, contradictory, and ridiculous, that we believe it would puzzle the whole tribe of quibblers in Westminster-hall to render it more confused and unintelligible.

Baron Dimsdale possesses the principal interest in this borough, and can secure the election of one member; the other is generally contested between Mr. Baker, the member for the county, and Mr. John Calvert, the present member for this town, who have been alternately successful.

RIGHT OF ELECTION—1701, *Jan. 27*. Is not in persons such only as are inhabitants householders, not receiving alms, and in such freemen who, at the time of their freedom granted to them, were inhabitants of the said borough, or of the parishes thereof.

Is in all the freemen, and also in all the inhabitants, being householders, and not receiving alms.

1705, Dec. 5. Is in the inhabitants not receiving alms, and in such freemen only as, at the time of their being made free, were inhabitants of the said borough, or the parishes thereof; the number of freemen living out of the borough not exceeding three persons.

The number of voters may be ascertained from the last poll, 1790, viz.

John Calvert, esq.	319
Baron Dimisdale,	290
William Baker, esq.	223

NUMBER OF VOTERS—570.

RETURNING OFFICER—The mayor.

PATRON—Baron Dimisdale.

ST. ALBANS.

POLITICAL CHARACTER.—The influence in this borough is divided between Earl Spencer and Lord Grimstone, each of whom returns one member to parliament. These two noblemen have long contended for the superiority, but neither of them has as yet an interest sufficient to obtain a majority over the other.

CORPORATION.—This town sent members to parliament as early as any borough in the kingdom. It is incorporated by charter, and governed by a mayor, high steward, recorder,
twelve

twelve aldermen, a town clerk, and twenty-four assistants. This borough has a district, called a liberty, which has a jurisdiction both in civil and ecclesiastical matters peculiar to itself, including the parishes of Barnet, Sandridge, Redburne, Cudicot, Shepehele, Bushy, Elstree, Langley Abbot, Sarret, Walden Abbots, Hoxton, Ridge, Norton, Rickmansworth, and Watford. This liberty has a gaol, and a gaol delivery, at St. Albans, four times a year, on the Thursday after the quarter session at Hertford. St. Albans is divided into four wards, in each of which are a constable and two churchwardens.

RIGHT OF ELECTION—1700, *10th March*, Is in the mayor, aldermen, and freemen, and such householders only as pay scot and lot.

1705, *24th Nov.* In the mayor, aldermen, such freemen only as have right, by birth or service, or by redemption, to trade or inhabit in the said borough, and householders paying scot and lot.

1714, *27th April.* In the mayor, aldermen, and freemen, and such householders only as pay scot and lot.

Number of voters may be ascertained from the last poll, 1790.

For the Hon. Richard Bingham 263

John Calvert, jun. esq. 209

Thomas Clutterbuck, esq. 117

RETURNING OFFICER—The mayor.

PATRONS—Earl Spencer, and Lord Grimstone.

HUNTINGDONSHIRE.

POLITICAL CHARACTER.

THIS small county is as much under the influence of two individuals as any borough in the kingdom; the Duke of Manchester and the Earl of Sandwich, united, always return the two members; and so powerful was this aristocratic junction, that even the opposition of the late Sir Robert Bernard, who was the particular friend of Mr. Wilkes, in his days of well-earned popularity and the cause of liberty, was not crowned with that success which it so highly merited.

Huntingdonshire lies in the province of Canterbury, and diocese of Lincoln. It is divided into four hundreds, in which are six market towns, but no city, and seventy-nine parishes, in which are said to be contained only about 8200 houses,

Houses, and 49,320 inhabitants. It sends but four members to parliament ; two knights of the shire for the county, and two for the town of Huntingdon.

QUALIFICATION.—*Jan. 14, 1739.* On a hearing for the county of Huntingdon, the counsel for the petitioner insisted that the sitting member (Mr. Clarke) was not qualified to be elected, according to the act made in the ninth year of the reign of Queen Anne, entitled, *An Act for securing the freedom of parliaments by the further qualifying the members to sit in the house of commons.*

Then the counsel for the petitioner, in support of one of their objections, offered to prove (which the counsel for the sitting member admitted), that the copyhold lands and tenements at Hammer-smith, in the parish of Fulham, in the county of Middlesex, which the sitting member, in the rental, or particular, by him delivered in to the clerk of the house (pursuant to the standing order of this house made for that purpose), claims in fee, according to the custom of the manor of Fulham, under a mortgage surrender, and an admission thereto, and a release of the equity of redemption from this mortgage, were subject to a subsequent mortgage made by the said mortga-

ger, previous to the debt of the said release of the equity of redemption.

Then the counsel for the petitioner having objected to the consideration given for the estate which the sitting member, in the said rental or particular, claims for his natural life by deed of feoffment, and livery and seizin thereon, given by John Clarke, of Huntingdon, gent. they offered to prove (which the counsel for the sitting member admitted), that the said estate was all the real estate, except about three pounds *per annum*, which the said John Clarke, the grantor, was seized of at the time of the date of the said deed.

Then the counsel for the petitioner having objected to the annuity of 200l. which the sitting member, in the said rental or particular, claims for life, by grant from Charles Bernard, esq. they offered to prove (which the counsel for the sitting member admitted), that the estate charged with the said annuity does not exceed the yearly value of 132l.

Then the counsel for the petitioner having objected, that the sitting member, in the oath by him taken at the time of his election, pursuant to the direction of the said act of the 9th of Anne, did not particularly enumerate all the several parishes

parishes out of which the fee-farm rents, mentioned in the said particular, are issuing;

The instrument of the said oath, subscribed by the sitting member, was produced by the sheriff, who took the same, and read.

And the first, second, third, fourth, and fifth sections of the said act, made in the 9th of Anne, were read.

And the counsel for the sitting member were heard; and one of the counsel for the petitioner was heard in reply.

And the counsel on both sides were directed to withdraw.

Mr. Clarke was heard in his place, and then he withdrew.

Resolved, That Charles Clarke, esq. is duly elected a knight of the shire, to serve in this present parliament for the county of Huntingdon.

HUNTINGDON.

POLITICAL CHARACTER.—There is no resolution of the house commons respecting the right of voting in this borough; but it is generally understood to be in the freemen and inhabitants householders paying scot and lot. The interest of the Earl of Sandwich is so powerful,

as always to return two members ; and this he effects, not by weight of property, for his Lordship has but one house in the whole town, but by his popularity, and the obligations which he was enabled to confer upon some of his principal friends during his connexion with Lord North's administration.

CORPORATION.—John granted to this town, by charter, a coroner, a recorder, a town-clerk, and two bailiffs : but Charles I. made it a mayor-town, *anno regni* 6, 1630. It has had, therefore, ever since, a mayor, recorder, and twelve aldermen and burgessees. The assizes are always held here, and in this town is the county gaol.

RIGHT OF ELECTION—Is in the inhabitants and freemen.

NUMBER OF VOTERS—200.

RETURNING OFFICER—The mayor.

PATRON—The Earl of Sandwich.

KENT.

POLITICAL CHARACTER.

THIS opulent and flourishing county has the happiness of maintaining its independence. The Duke of Dorset possesses the first individual interest, but the nobility and gentry are too numerous to suffer it to gain an ascendancy. The dock-yards of Deptford, Woolwich, Chatham, and Sheerness, aided by the ecclesiastical influence of the clergy of the two cathedrals of Rochester and Canterbury, give the government a most powerful controul in the election; and, united to that of the Duke of Dorset, and the other connexions of the minister, in this county, were successful in 1790 in bringing in Sir Edward Knatchbull; but this was owing more to the want of a junction of interests between Mr. Honeywood and the Hon. Mr. Marsham, the independent candidates, than to the weight of all this influence united.

This county is chiefly indebted for the independence which it possesses, to that noble relick of Saxon institution, the Gavel-law, by which all the sons, in equal shares, are partakers of the father's fortune.

A similar

A similar law prevails in France, under the new constitution, but with this distinction, that the daughters as well as the sons are inheritors in an equal degree. The French have certainly, in this instance, with great justice and liberality, peculiar to themselves, much improved upon this equitable system of our Saxon progenitors.

The special customs incident to Gavel-kind in Kent are :

That the husband, after his wife's death, enjoys a moiety of her inheritance in gavel-kind by courtesy, whether he has children by her or not, until he marries again.

The wife, after the death of her husband, has, for her dower, a moiety of his lands in gavel-kind, for so long time as she shall continue unmarried, and in chastity.

The tenant of gavel-kind lands is kept in ward one year longer than is permitted by the common law, that is, till he is fifteen years of age, at which time he is of sufficient age to alien his estate by feoffment.

Lands in gavel-kind, if the tenant commits felony, and submits to the judgment of the law, are not forfeited ; nor do they escheat to the king, or other lord of whom they are holden ; nor has the king year and day waste of lands in gavel-kind, holden

holden of a common person, when the tenant is executed for felony.

The tenant had a power of devising lands by will, before the statute for that purpose was made, in the 32d year of King Hen. VIII.

Lands in gavel-kind descend to all the sons alike in equal portions; and if there are no sons, then equally among the daughters: and as to the chattles, it was formerly part of the custom of this county to divide them, after the funeral and debts of the deceased were discharged, into three parts, if he left any lawful issue behind him; of which three, one portion was to the dead for the performance of legacies, another to his children for education, and a third to the wife for her support and maintenance.

Furthermore, if the tenant of gavel-kind lands withdraws from his lord his due rents and services, the custom of this gives the lord a special and solemn kind of *cessavit*, called *gavelet*, by which, unless the tenant redeems his lands by payment of the arrearages, and makes reasonable amends for withholding the same, they become forfeited to the lord, and he enters into them and occupies them as his own demesnes.

The tenants in gavel-kind in this county claim the privilege, that where a writ of right is brought

brought concerning *gavel-kind* lands, that the *grand assize* shall not be chosen in the usual manner by four knights, but by four tenants in *gavel-kind*, who shall not associate to themselves twelve knights, but that number of tenants in *gavel-kind*; and further, that trial by battle shall not be allowed in such a writ for these lands.

The numbers upon the poll were, for

Sir Edward Knatchbull 4285

Filmer Honeywood, esq. 3101

Hon. Charles Martham 2724

William the Conqueror having fought the battle at Hastings, in Suffex, was marching towards London, when he was met by a large body of the men of Kent, each carrying a bough or limb of a tree in his hand. This army, which had the appearance of a moving wood, boldly marched up to him, and demanded the preservation of their liberties, and informed William they were determined to die before they would be deprived of them, and submit to bondage; but if he would grant them their equitable request, they would submit to his government. William, being so much struck with the spirit and justice of their demand, wisely granted what they asked; and thus were they suffered to retain those ancient customs for which

this county has ever since been so justly distinguished.

This county is divided into five lathes, which are subdivided into 14 bailiwicks, and these again into 68 hundreds. A lathe is a division peculiar to this county; and consists of two or more bailiwicks, as a bailiwick does of two or more hundreds. Kent contains 2 cities, 29 market towns, and 408 parishes. It lies in the province of Canterbury, and partly in that diocese, and partly in the diocese of Rochester. It sends 18 members to parliament; two knights of the shire for the county, two members each for the cities of Canterbury and Rochester, two for the borough of Maidstone; two for that of Queenborough, and two for each of the four cinque-ports in this county, Dover, Sandwich, Hithe, and Romney.

Many lands in this county are still held by the ancient tenure of castle-guard; that is, upon condition that the tenant, in his turn, should mount guard at the castle; but a composition is taken for this service, which the tenants are obliged to pay; for, upon the day appointed, a flag is hung out from that part of the castle which is still kept in repair, and such of the tenants as do not then appear and pay their quit-rents, are
liable

liable, at Rochester, to have them doubled at every return of the Medway.

ROCHESTER.

POLITICAL CHARACTER.—This city, owing to its being in the vicinity of Chatham, feels the influence of the admiralty, dock-yard, custom-house, and revenue officers, too powerfully, to assert a claim to actual independence. The number of electors not being, like Plymouth, limited to a self-elected corporation, prevents their representation from being entirely at the disposal of the admiralty; but it has always been customary to compliment that board with the recommendation of one of them.

The numbers on the poll at the last general election were, for

George Best, esq.	-	369
Sir R. Bickerton,	-	322
Marquis of Titchfield,		243

CORPORATION.—Rochester was made a mayor-town: Edw. IV. Here are, by its incorporation 1619, a mayor, recorder, 11 aldermen, and 12 common-council, a town-clerk, 3 serjeants at mace, and a water-bailiff. Once a year, or oftener, the mayor and citizens of Rochester hold what is called an admiralty-court, to appoint times

times when oysters shall be taken out of their fishery, and settle the quantity each drudger shall take in a day.

RIGHT OF ELECTION—Is in the freemen.

NUMBER OF VOTERS—630.

RETURNING OFFICER—The mayor.

PATRONS—Ordnance and Admiralty.

CANTERBURY.

POLITICAL CHARACTER—This city is entirely independent in its election of members of parliament, and is neither under the influence or controul of any patron or leading man.

CORPORATION.—It is governed by a mayor, a recorder, 12 aldermen, a sheriff, 24 common-council-men, a sword-bearer, and four serjeants at mace. A court is held every Monday in the Guildhall, for civil and criminal causes; and every other Thursday, for the government of the city. It is divided into six wards. At the beginning of Hen. III. it was governed by bailiffs; but in the 26th of Hen. VI. it was changed into the above mayoralty anno 1449, which may be seen in Sommer's history of this city.

RIGHT OF ELECTION—Is vested in the freemen.

NUMBER

NUMBER OF VOTERS—1000.

RETURNING OFFICER—The sheriff.

MAIDSTONE.

POLITICAL CHARACTER.—This borough was formerly at the disposal of the Earl of Ailesford; but it has emancipated itself from that influence, and has since been divided in two parties, the one attempting to compliment the minister with the nomination of its members; the other equally zealous in maintaining the independence of its constitutional rights.

Mr. Brenchly, a brewer of this town, and one of the partners in the Southwark bank, who is lately deceased, was at the head of the former party; and Mr. Taylor, an eminent paper-manufacturer, and one of its present representatives, takes the lead of the latter.

The death of Mr. Brenchly has considerably weakened the ministerial interest; and it is not improbable but, at another election, it may shake off the trammels of government dictation entirely.

The manor, which extends over the whole Hundred of Maidstone, belongs to Lord Romney, who has a seat near this borough.

RIGHT

RIGHT OF ELECTION.—Is in the freemen not receiving alms or charity, 7 Feb. 1701. 8 Dec. 1702.

NUMBER OF VOTERS—600.

RETURNING OFFICER—The mayor.

CASE OF BRIBERY.

Dec. 8, 1702. Resolved, That the late election of burgeses for the said borough of Maidstone, is a void election.

Resolved, That no warrant do issue during this session of parliament, for the making out a new writ for the electing burgeses for the said borough of Maidstone.

Resolved, That Gervas Hely is guilty of indirect and corrupt practices, in order to the procuring members to be elected to serve in parliament for the said borough of Maidstone.

Ordered, That the said Gervas Hely be, for his said offence, taken into custody.

VEXATIOUS PETITION.—*Feb. 7, 1701. Resolved,* That Tho. Colepepper, esq. who was one of the instruments in promoting and presenting a scandalous, insolent, and seditious petition, commonly called *the Kentish petition*, to the house of

commons, hath been guilty of corrupt, scandalous, and indirect practices, in endeavouring to procure himself to be elected a burges to serve in this present parliament for the borough of Maidstone.

There is another resolution, That he is guilty of aspersing the last house of commons.

Ordered, That the said Tho. Colepepper, esq. be, for his said offence, committed to Newgate.

QUEENBOROUGH.

POLITICAL CHARACTER. This borough has been very justly considered for many years as a government borough; for there has been no instance, since 1727, although there has been many contested elections, of any member being returned in opposition to administration. From 1727 to 1754, the elections were carried on by the united interests of government and Capt. Evans, who resided in this place, and had the lead for many years in the corporation. From 1754, until the present time, the interest has been divided between the boards of ordnance and admiralty; each has constantly carried a member; and for the last sixteen years, by the mere power of office,

office, in opposition to the corporation, and to the influence of the Evans's family.

The systematic application of the patronage of the board of ordnance to the purposes of acquiring an influence in this borough, has been attended with a progressive increase of their establishment on the Thames and Medway, and a very large addition to the expence of carrying on the service by vessels employed on those rivers. It appears from official documents laid before the house of commons, that it amounted in 1754 to 742l. But it now amounts (exclusive of the wear and tear of vessels, the property of government), to 2190l. 8s. 3d. How far the real exigencies of the public service may require and justify so considerable an augmentation, we cannot pretend to decide; as those who are most competent have so widely differed in their opinions on the subject. On the conclusion of the last war, Lord Townshend, the master-general of the ordnance, ordered the establishment (the expence of which was then 250l. *per annum* less than at present), to be reduced. But it has since, by his successor, the Duke of Richmond, being thought necessary to be increased.

This town seems to have been one of those that were not suffered to exercise the first right of

citizens, that of sending representatives to parliament, until royalty chose to extend to them the privilege. And this essential franchise to the liberty of the subject was not allowed to the inhabitants until the 12th of Eliz.

CORPORATION.—The burgesses were first incorporated by Edw. III. who granted to them the privilege of choosing, annually, a mayor and two bailiffs. The present corporation was established by a charter of Charles I. and consists of a mayor, four jurats, and two bailiffs, a constable, town-serjeant, and a water-bailiff. It has likewise the cognizance of pleas.

RIGHT OF ELECTION. The right of election has never been disputed in parliament. But in 1729, it was agreed to be in the mayor, jurats, bailiffs, and burgesses.

RETURNING OFFICER.—The mayor.

PATRONS.—Ordnance and admiralty.

NUMBER OF VOTERS.—Before Mr. Crewe's bill, there were 152; but 21 being disqualified by that bill, there are only 131. At present, out of 131 persons entitled to vote for this borough, 23 hold places under the ordnance, and 11 under the admiralty, of whose situations and emoluments we have here annexed a correct account. There are also 7 officers in the navy,

1 in

1 in the artillery, and 14 or 15 ordnance labourers on the gun-wharfs at Sheernefs and Purfleet. In time of war the ordnance interest is considerably encreased by the employment of Queenborough boats, and extra-craft for carrying stores.

LIST OF PLACES

Under the *Ordinance* and *Navy Bords*, held by Freemen of QUEENBOROUGH, with their Annual Salaries, and the Number of Freemen holding them respectively under the *Ordinance*.

No. of Freemen.	Names of Places.	Ann. Salaries.		
		£.	s.	d.
1	Purveyor of Shipping - - - -	170	0	0
1	Storekeeper at Shernefs 100 0 0			
1	And Barrack Master, at 3s. per day - - - - 54 12 0			
		154	12	0
1	Clerk of the Survey at Woolwich	100	0	0
1	Clerk of the Checque at Sheernefs	80	0	0
1	Clerk of the Survey at Chatham	130	0	0
1	Clerk in the Clerk of the Checque's office at Sheernefs - - - -	50	0	0
1	Overseer of Labourers at Sheernefs, at 3s. 6d. per day - - - -	63	14	0
2	Sluice - Masters, at 2 s. per day each - - - - -	72	16	0
1	Wharf-man at the Tower, at 2s. per day - - - - -	36	8	0
1	Gunner at Sheernefs - - - -	21	0	0
1	Master of a Gun-hoy at 16ol. per ann. for himself, and to find three men when on service - -	160	0	0
	Carried over - - -	938	10	0

No. of Free- men.	Names of Places.	Ann. Salaries.		
		£.	s.	d.
	Brought over - - -	938	10	0
1	Master of a Sloop, at 270 <i>l.</i> <i>per</i> <i>ann.</i> for himself and seven men	270	0	0
4	Masters of Powder-Boats, at 168 <i>l.</i> <i>per ann.</i> each, for himself, and to find two men and a boy when on service - - - - -	672	0	0
6	Mates of Sloops, Powder-Boats, or Gun-Hoys, at 48 <i>l.</i> <i>per ann.</i>	288	0	0
23	each - - - - -	2168	10	0

UNDER THE NAVY.

5	Masters of Transports, Lighters, or Long-boats, at about 40 <i>l.</i> <i>per ann.</i> each - - - - -	200	0	0
1	Quartermaster in Sheerness Yard -			
2	Boatswains - - - - -			
1	Ship Carpenter - - - - -			
1	Purser - - - - -			
1	Gunner - - - - -			
11				

LANCASTER COUNTY.

POLITICAL CHARACTER.

THE estates and connexions of the Earl of Derby, together with his lordship's personal influence, always secures the election of one of the representatives for this county. The choice of the other is independent.

King Edward III. made it a county palatine, in favour of his son John of Gaunt; and it has still a court, which sits in the duchy chamber at Westminster, and takes cognizance of all causes that any way concern the revenue belonging to that duchy; the chief judge of which is the chancellor of the duchy, who is assisted and attended by the attorney-general, the receiver-general, the auditor of the north and south parts of the duchy, the king's serjeant and council, the secretary, deputy clerk and register, an usher, deputy usher, and messenger; as also a court of chancery, appointed to hear and determine all causes, according to some peculiar customs used among themselves, which is held at Preston. The chancellor is chief judge of this court also, and has proper officers under him, such as a vice-chancellor,
an

an attorney-general, chief clerk, register and examiner, five attorneys and clerks, a prothonotary and his deputy, and clerks of the crown and peace.

From the time that Lancashire was made a county palatine, the town of Lancaster gave the title of duke to a branch of the royal family, till the union of the houses of York and Lancaster, by the marriage of King Henry VII. of the Lancaster line, with Elizabeth, heiress of the house of York.

This county is divided into six hundreds, has no city, and only twenty-seven market-towns. It lies in the province of York and diocese of Chester, and contains sixty-three parishes, which are, in general, much larger than those of any other county in England, and very populous; for which reason there are many chapels in the county, several of which are as large as parish churches. It sends fourteen members to parliament, two knights of the shire, and two representatives for each of the following boroughs, Lancaster, Liverpool, Preston, Newton, Wigan, and Clithero.

LANCAS-

LANCASTER.

POLITICAL CHARACTER.—The Earl of Lonsdale has attempted, for these three last parliaments, to bring this town within the vortex of his parliamentary interest, but he has been always foiled by a great majority. It contains, at this time, about 1160 houses, and somewhere about 1600 families. At the last election 1800 voted, 700 of whom only live in Lancaster. By the charter, freemen only have a vote; but the most glaring corruption lies in making those freemen. A freeman's son, or a freeman's apprentice, within the borough, is entitled to take up his freedom whenever he pleases, on paying into the hands of the mayor or bailiff 1*l.* 7*s.* 6*d.* This sum is most generally paid by the opposing candidates, and the greatest number of freemen, thus made, turns the scale of the election. Hence, as ship-building and the cabinet business are the only manufactories there, he who has most ships to build or repair, or he who will lay out a few hundreds in mahogany furniture, is most likely to carry his election. The journeymen are at the command of their masters; they get intoxicated during the canvas, and having 5*s.* to eat and drink on the day of election, they give a shout, and

and go quietly to work again. The revenue officers are about twenty-five; but many of them are not freemen, and therefore had no votes. The numbers at the last election on the poll were, for

Sir G. Warren, bart,	1015
John Dent, esq. . . .	1012
Richard Penn, esq.	453

This borough, which was so made in the 4th of Richard I. having sent members the 23d, 26th, 33d, and 35th of Edw. I.; 8th and 19th of Edw. II.; and 1st, 2d, 3d. and 4th of Edw. III.; ceased sending till Edw. VIth's time, when it was restored, with Preston, Wigan, and Liverpool.

CORPORATION—Consists of a mayor, a recorder, 12 aldermen, two bailiffs, 12 capital burgessees, 12 common burgessees, a town-clerk, and two serjeants at mace.

King John confirmed to the burgessees all the liberties he had granted to those of the city of Bristol; and King Edward III. granted to them mayor and bailiffs, the privilege of having the pleas and sessions held here, and no where else in the country. This town has given the title of duke to many branches of the royal family.

RIGHT OF ELECTION—by the charter, is in the freemen.

NUMBER OF VOTERS—1800.

RETURNING OFFICER—The mayor and two bailiffs.

PRESTON.

POLITICAL CHARACTER.—A question has been at issue for near a century and a half, Whether the right of election for this borough was in the in-burgessees of the last guild, and those admitted since by copy of court-roll, or in the inhabitants pot-wallers?

This question has come twice before the house of commons, previous to the passing of the Grenville act; first on the 18th of December, 1661; secondly, on the 29th of November, 1768; and twice more since the passing of that act. First, upon the petition of John Fenton Cawthorne, esq. against Lieutenant-general Burgoyne, and Sir H. Houghton, in 1780; and again, upon the petition of Michael Angelo Taylor, esq. against the same sitting members, in 1784; in all of which cases it was determined, that the right of election was in the inhabitants at large.

This is a large and populous town. The Earl of Derby has a very handsome house here, and has sufficient

sufficient influence to return one of its members; the other seat is generally carried by the dissenting interest.

This borough, which was so made by Hen. II. having sent members to parliament in the 23d, 26th, 33d, and 35th of Edw. I. and in the 1st of Edw. II. intermitted sending till Edward VI. when it was restored.

CORPORATION.—It is governed by a mayor, recorder, aldermen, four under-aldermen, seventeen common-councilmen, and a town-clerk.

RIGHT OF ELECTION.—1661, *18th December*. All the inhabitants have voices in the election.

1768, 29th November. Not to admit counsel to produce evidence, in order to shew that the right of election for the said borough was in all the inhabitants, according to the last determination of the house, or that the words, “all the inhabitants,” mentioned in the said determination of the house, mean only, “such in-burgessees of the last guild, or those admitted since by copy of court-roll, as are inhabitants of the place;” but all the inhabitants at large.

NUMBER OF VOTERS—600.

RETURNING OFFICERS—The mayor and two bailiffs.

PATRON—The Earl of Derby.

LIVER-

LIVERPOOL.

POLITICAL CHARACTER.—This great commercial town is entirely free, both from aristocratical and ministerial influence. Previous to the reign of Charles II. the freemen at large exercised the right of choosing their own mayor, aldermen, and common-council, as in the city of London; but since that time the body corporate have assumed the power of filling up all vacancies, without their will and approbation. They have now, however, resumed their right, which had been so arbitrarily and illegally withheld from them, and have, on St. Luke's day last, chosen their own mayor. At the last general election, administration and opposition united their forces in the persons of Lord Penrhyn and Mr. Bamber Gascoigne; but the independent freemen beheld this unnatural union with that detestation which it deserved, and resolved instantly to crush this monstrous production at its birth. The gallant Colonel Tarleton was, in his absence, proposed by them as a proper person to support their own dignity and real consequence, and to withstand the formidable junction; and the success which
he

he met with at the poll, shewed him not unworthy of the distinguished honour they intended him :

The numbers on the poll were, for

Banastre Tarleton, esq.	1257
-------------------------	------

Bamber Gascoigne	887
------------------	-----

Lord Penrhyn	716
--------------	-----

Henry Blundel, esq. the late mayor, who was elected to that office by the freemen at large, took possession of the town treasury, and thereby prevented the corporation from supporting their assumed claims at the expence of the public chamber. The legal decision of this question is of the first importance to every corporate city and town in the kingdom, as it will determine whether a large community is to be governed by a self-elected junto, or by a magistracy, who are to derive their authority from the voice of the people.

Within these fifty years, this town hath increased so prodigiously in trade, that it is now said to be the greatest sea-port in England, except London, it being thought to exceed even Bristol. The merchants here trade to all parts, except Turkey and the East-Indies; but their most beneficial trade is to Guinea and the West-Indies, by which many have raised great fortunes.

The

The increase of its trade for near a century past cannot be better ascertained, than by a view of the great number of ships belonging to the town, or which have been cleared out at the port, for any two years, at some considerable distance of time. In 1565, the trade of the place seems to have been carried on solely by their own ships and boats, of which they had twelve, that in the whole amounted to no more than two hundred and twenty-three tons, and employed but seventy-five seamen.

The Exchange, which cost 30,000*l.* is erected on the spot where the town-house stood, at the top of Water-street, and is a grand edifice of white stone, built in the form of a square, round which are piazzas for the merchants to walk in. Above stairs are the mayor's offices, the sessions-hall, the council-chamber, and two elegant ball-rooms.

The custom-house is a neat building of brick and stone, situated at the head of one of the docks. There are three large and commodious docks, secured by iron gates, through which ships sail on their coming to the town. In these docks they lie close to the shore, and land their goods with the greatest facility; and the gates being shut, they are secured from winter storms.

storms. There is also a new playhouse in Drury-lane, where players perform in the summer season.

This town, which contains four livings, was once in the parish of Walton, but is now separated from it by act of parliament; notwithstanding which, it pays to the rector forty shillings *per annum*. Two of these livings are in the gift of the corporation, and the chaplains have each 120*l.* a year; the other two are a joint rectory, also in the gift of the corporation, with two rectors, who have each 150*l.* *per annum*, and officiate at them alternately; they have likewise surplice fees of the whole town; fees are also paid to the ministers who do the duty of the other churches. An act was passed a few years ago, to enable the inhabitants to build two churches more, one of which was soon after begun near the Ladies Walks, a very pleasant place, which commands a fine view of the river and the Cheshire shore.

This town sent members 23 and 35 Edward I. but made no other return till the reign of Edward VI.

CORPORATION.—It is governed by a mayor, annually chosen on St. Luke's day, a recorder,

VOL. I.

A a

and

and common-council of forty-one, including the mayor, recorder, and town clerk.

Whoever has borne the office of mayor is afterwards styled an alderman.

RIGHT OF ELECTION—1729, *5th March*. Was agreed by the counsel on both sides to be in the mayor, bailiffs, and freemen of the said borough, not receiving alms.

NUMBER OF VOTERS—2300.

RETURNING OFFICER.—The mayor and two bailiffs.

CLITHEROE.

POLITICAL CHARACTER.—A resolution of the house of commons having vested the right of election for this borough in a peculiar kind of burgage tenure, the real number of which is not more than forty-two, a contest has subsisted for many years between Thomas Lister, esq. who is in the interest of Opposition, and Asheton Curzon, esq. who espouses that of Administration: the former was successful at the elections of 1780 and 1784; but the parties have since found it convenient to compromise their interests, and each to send one member.

The electors of this borough have the name of burgesses, though it has no corporation.

RIGHT

RIGHT OF ELECTION—1661, 4th February, is in such freeholders only, as have estates for life, or in fee.

NUMBER OF VOTERS—42.

RETURNING OFFICERS—Two bailiffs.

PROPRIETORS — Thomas Lister, esq. and Asheton Curzon, esq.

WIGAN.

POLITICAL CHARACTER.—The rector of this parish is always lord of the manor. There is no determination of the house respecting the right of election, but it is understood to be prescriptively in the free burgesses. It has two charters, one given it by Queen Elizabeth, and the other by Charles II. which empowers it to choose a mayor, recorder, twelve aldermen, and two bailiffs, and to appoint a sword and mace bearer. The influence at present is in the Duke of Portland, and Sir Henry Bridgeman. The mode of securing the electors is by lending each individual a limited sum of money upon bond, and not exacting payment, with any *extreme severity*, while they preserve their political allegiance. Insignificant as this borough may appear (the number of voters not exceeding 200),

it cost the late George Byng, esq. 20,000*l.* in opposing the interest of the Earl of Lonsdale, whose candidate, at that time, was Sir Fletcher Norton, afterwards Lord Grantley.

CORPORATION.—It is governed by a mayor, recorder, twelve aldermen, two bailiffs, and a sword and mace bearer, by charter of 27 Eliz. and 18 Charles II.

RIGHT OF ELECTION.—There is no resolution of the house respecting the right of election, but it is supposed to be in the free burgesses.

NUMBER OF VOTERS—About 200.

RETURNING OFFICERS—The mayor.

PATRONS—Duke of Portland, and Sir Henry Bridgeman.

NEWTON.

POLITICAL CHARACTER.—The right of election in this borough is in the steward of the lord of the manor, the bailiff and burgesses, who derive their privileges from prescription. The lord of the manor is Thomas Peter Legh, esq. of Lyme, in this county, who has the absolute controul of these electors, as well as the appointment of the returning officer.

CORPORATION.

CORPORATION.—It is governed by a steward, bailiffs, and burgesses.

RIGHT OF ELECTION.—There is no resolution of the house respecting the right of election, but it is supposed to be in the free burgesses.

NUMBER OF VOTERS—About 36.

RETURNING OFFICERS.—Steward of the lord of the manor, and the bailiff.

PROPRIETOR—Thomas Peter Legh, esq.

LEICESTERSHIRE.

POLITICAL CHARACTER.

THE Duke of Rutland, from his landed property, and personal connexions in this county, returns one of its members.—His Grace attempted to bring in both; but in this he was defeated by the independent party, who at that election succeeded in the choice of their own representative. The Duke's interest returned one of the members, and that of the independent party the other at the last general election.

LEICESTER TOWN.

POLITICAL CHARACTER. This town, having derived great advantages from the success of its manufactures, and the right of election being in the freemen at large, and inhabitants paying scot and lot, is therefore neither under the immediate influence of aristocracy nor administration. A violent contest happened at the last general election in 1790, in which Samuel Smith, esq. of Nottingham, and Nathaniel Brassey Halhead, esq. the present member for Lymington, were candidates on the court interest, and Thomas Boothby Parkins, esq. eldest son of Sir Thomas Parkins, bart. and Lewis Montilieu, esq. on that of Opposition. After a poll of several days a coalition took place between all the parties; Mr. Halhead and Mr. Montilieu agreed to decline, that one of each party might be chosen without farther contest. Such an attempt to intrude upon them two representatives, in open violation of the freedom of election, had nearly proved fatal to the town. The populace began to commit depredations; and had it not been for the timely interference of the military, their proceedings would have terminated in the destruction of the place.

In

In the doomsday book this town is styled a city, and had the title of mayor given to its chief magistrate 1248, 32 Henry III. Edward IV. in the 4th year of his reign 1464, appointed it a recorder.

It had its charter from King John, and its freemen are toll-free at all fairs and markets in England.

CORPORATION.—It is governed by a mayor, recorder, steward, bailiff, 24 aldermen, 48 common-councilmen, a town clerk, and other officers.

RIGHT OF ELECTION, 1705, 8th Feb. Such freemen as were made free at the charge of any of the candidates, had not a right to vote at the last election of burgessees to serve in parliament for the borough of Leicester.

Agreed to be in the freemen not receiving alms, and in the inhabitants paying scot and lot; but persons living in the borough of Leicester, by certificate, not having gained a settlement by renting ten pounds *per annum*, or serving in an annual office, are not entitled, by paying scot and lot, to vote.

NUMBER OF VOTERS on the poll at the last election:

For Thomas B. Parkins, esq. 986

Samuel Smith, esq. 803

N. B. Halhead, esq. 551

RETURNING OFFICER—The mayor.

LINCOLN COUNTY.

POLITICAL CHARACTER.

THIS county, ranking with Devonshire, in point of extent, opulence and territory, is not to be influenced by any individual. The observations which we have made with respect to that, will, in all its points, be applicable to this. We shall therefore refer the reader to the political character which we have given of that county.

LINCOLN CITY.

POLITICAL CHARACTER.—The only influence which prevails in this city, and that not absolute, is that of Lord Delaval, who has a seat in the neighbourhood, and his lordship's son-in-law, John Fenton Cawthorne, esq. the present recorder, and one of the representatives.

CORRUPTION.—The anxiety of candidates to obtain the writs for election, is sometimes so great,

great, that large sums of money have been given for them, and the best bidder has been generally the first possessor. A gentleman in office, of great character and integrity, and on whose credit we have the firmest reliance, informed us, that he was present when 1000 guineas were given at the dissolution of the last parliament, for the writ for this city. This infamous traffic is become so notorious, that the interference of the legislature has lately been demanded by some independent gentlemen in the house of commons. We therefore hope that an effectual stop will be put to it, and that this species of commodity, sold by auction, will no more be heard of.

In the reign of Edward the Confessor, this city is said to have had one thousand and seventy houses ; and, in the time of the Normans, was one of the most populous cities in England, and a mart for goods of every kind, which gave occasion to the following prophecy, as they call it.

Lincoln was, London is, and York shall be,
The fairest city of the three.

This they suppose to have been fulfilled after the fire of London, in 1666.

King Edward III. made it a staple for wool, leather, lead, and other commodities ; but afterwards it suffered many calamities. It was
once

once burnt; once besieged by King Stephen, who was here defeated and taken prisoner, and once taken by Henry III. from his rebellious barons.

This city had summons, with London and York, to send members to parliament 49 H. III.

CORPORATION.—It is governed by a mayor, twelve aldermen, two sheriffs, a recorder, four chamberlains, a sword-bearer, a coroner, and forty-eight common-councilmen.

This city is a county of itself, and has a viscountial jurisdiction twenty miles round; a privilege enjoyed by no other city in England.

RIGHT OF ELECTION.—There is no resolution of the house respecting the right of election, but it is allowed to be in the freemen.

NUMBER OF VOTERS.—About 1100.

RETURNING OFFICERS.—The mayor and sheriffs.

GRANTHAM.

POLITICAL CHARACTER.—This place is of the middling size, neither coming under the description of a populous town, nor degenerating into a rotten borough. The influence over it is however complete. The Duke of Rutland and Lord Brownlow,

Brownlow, from their property in the town, the contiguity of their seats, and their personal interest, have the entire command of its representation.

CORPORATION.—It is governed by an ancient corporation, consisting of an alderman, recorder, twelve common burgeses, a coroner, an escheator, and twelve constables to attend on the court.

RIGHT OF ELECTION—1730, 11 *Jan.* Is in the freemen of the said borough, not receiving alms of charity.

NUMBER OF VOTERS—400.

RETURNING OFFICER—The alderman.

PATRONS—Duke of Rutland and Lord Brownlow.

STAMFORD.

POLITICAL CHARACTER.—This town, although possessing chartered privileges, superior to any other place in the kingdom, the city of London only excepted, is not free from controul in the exercise of its political franchise. The Earl of Exeter, who possesses the venerable and magnificent seat of his ancestors, at Burleigh near this town, is looked up to by the corporation and inhabitants as their patron. We must however caution our readers not to confound the influence which prevails in counties, and popular cities
and

and towns, with that which dictates in limited corporations and burgage tenures, which are all private property, and what are termed rotten boroughs, with only ten or twelve houses in each. The influence of the first description is only derived from extensive property, eminent personal qualities, and from a good neighbourhood and hospitality. The latter is of the authoritative kind, and is maintained by corruption, persecution and tyranny, and is carried to market as a saleable commodity, with as little secrecy and caution as an estate is carried to the hammer at a public auction.

The inhabitants of this town have very extraordinary privileges, particularly a freedom from the jurisdiction of the sheriff of the county, and from being impannelled on juries out of the town: they are exempted from the government of all lord-lieutenants; are entitled to have the returns of all writs, and claim the privilege of having the militia of the town commanded by their own officers: in short, the mayor being the king's lord-lieutenant, and immediately under his majesty's command, he is esteemed, within the liberties of the town, the second man in the kingdom.

Here

Here was fought the first battle between the Britons and Saxons, in which the former were entirely routed, and left their enemies in the possession of the field. In the reign of King Stephen there stood a castle in the middle of the town, the foundation plot of which is said to be still visible: and here the custom of borough English still subsists, by which the youngest son is his father's heir.

In the reign of King Richard I. the inhabitants of this town, influenced by superstition, fell upon the many Jews who then lived there, and barbarously murdered them.

This town having sent members 23, 26, 28, 30, 33, and 34 Edw. I. and 15 Edw. II. and to a council 11 Edw. III. made no other return till Edward IV's reign, who incorporated it anno regni 1, 1461, under the government of an alderman, which was, by King Charles II. anno 1664, changed into a mayor.

CORPORATION.—It is governed by a mayor, a recorder, twelve aldermen, a town clerk, twenty-four capital burgeses, and two serjeants at mace.

RIGHT OF ELECTION—1735, 8 *March*, Is in the inhabitants paying scot and lot, and not receiving alms.

NUMBER OF VOTERS—About 500.

RETURNING OFFICER.—The mayor.

PATRON—The Earl of Exeter.

GREAT GRIMSBY.

POLITICAL CHARACTER.—This borough is entirely under the controul of Charles Anderson Pelham, esq. member for the county. A strong opposition was made at the last general election, in 1790, by the Hon. William Wesley Pole, brother to the Earl of Mornington, one of the lords of the treasury, and Robert Wood, Esq. aided by the weight of government influence, which proved ineffectual. The candidates in Mr. Pelham's interest were returned; a petition was presented by Mr. Pole and Mr. Wood, which ended in a void election; but Mr. Pelham's friends were re-chosen.

CORPORATION.—It is governed by a mayor, a high-steward, a recorder, eleven aldermen, twelve common-councilmen, two coroners, two bailiffs, a town-clerk, and three serjeants at mace.

RIGHT OF ELECTION.—There is no resolution of the house respecting the right of election; but
it

it is understood to be in the freemen, being inhabitants.

NUMBER OF VOTERS—75.

RETURNING OFFICER—The mayor.

PATRON—Charles Anderson Pelham, esq.

BOSTON.

POLITICAL CHARACTER.—This place is remarkable for the many contradictory resolutions of the house of commons, respecting the right of election. It was first resolved to be in the commonalty, then in the mayor, aldermen, common-council, and freemen, and lastly in the freemen paying scot and lot. It is entirely under the influence of the Duke of Ancafter, whose interest always brings in the members. A petition was presented, after the last election, by General Smith, complaining of the most flagrant acts of corruption; but this petition was afterwards withdrawn, at the request of a gentleman of high rank, with whom the contesting parties had each the honour of an acquaintance.

The electors of this place demand their *septennial stipend* with as much confidence as if it was the rent of an estate, and generally receive it with as much punctuality as if they had a similar claim.

COR-

CORPORATION.—This town is governed by a mayor, who is chief clerk of the market, and admiral of the coast, a recorder, twelve aldermen, a town clerk, eighteen common-councilmen, a judge, and marshal of the admiralty, a coroner, two serjeants at mace, and other officers.

RIGHT OF ELECTION—1628, *8th March*. In the commonalty, and not in the mayor, aldermen, and common council.

1711, *20th March*. Only in the mayor, aldermen and common-council, and freemen of the said borough, resident in it, and paying scot and lot.

1719, *2d March*. Only in the mayor, aldermen, common-council, and freemen resident in the said borough, paying scot and lot ; such freemen claiming their freedom by birth or servitude.

NUMBER OF VOTERS—About 200.

RETURNING OFFICER—The mayor.

PATRON—Duke of Ancafter.

MIDDLE-

MIDDLESEX.

POLITICAL CHARACTER.

THIS county is remarkable for that true spirit of independence which the freeholders displayed in their contest with the house of commons, from the year 1768 to the year 1782.

The important subject which engaged their attention, is the greatest that mankind can be employed in; and the firmness and resolution with which they supported their own rights, and those of their fellow-citizens, will be handed down to posterity with that enthusiastic applause their patriotic labours, of fourteen years so richly merit, and which, being finally crowned with success, holds up a lesson to future administrations, that, however venal and corrupt their adherents may be, the spirit of honest perseverance will always prevail over ministerial influence.

At the general election in 1768, John Wilkes, esq. who was just returned from his exile, was unanimously nominated, at a numerous meeting of the freeholders of this county, held at the

assembly-room, at Mile End, on the 20th of March, to represent this county in parliament. On the 28th of the same month the election came on at Brentford, when Sir William Beauchamp Proctor, bart. and George Cooke, esq. the late members, were candidates ; Mr. Wilkes was also put in nomination ; and at the close of the poll, the numbers were, for

John Wilkes, esq.	1292
George Cooke, esq.	827
Sir W. B. Proctor,	807

Whereupon the sheriffs, Messieurs Hallifax and Shakespeare, declared Mr. Wilkes and Mr. Cooke to be duly elected. On the 10th of May following, the parliament met, when no business of consequence was done, except choosing their speaker, &c. until their prorogation.

On the 8th of November, 1768, the parliament met again ; and on the 14th of November following, a petition was presented to the house from Mr. Wilkes, then a prisoner in the King's Bench. This petition, which furnished an occasion for the memorable proceedings that followed, contained a recapitulation of all the proceedings against Mr. Wilkes, from the time of his first apprehension, by a general warrant in
April

April 1763, to the time of his commitment to the King's Bench prison, in 1768.

The petition produced an order, for the proper officers to lay before the house a copy of the records of the proceedings upon the several informations in the court of King's Bench against Mr. Wilkes. After which, the journals and resolutions of the house, upon that subject, in the year 1763, being examined, a day was appointed for the hearing of the matter of the petition, and also of the proceedings in the court of King's Bench, of which notice was ordered to be given to Mr. Wilkes: a great number of persons also, who were concerned 'as actors or witnesses in these transactions, among whom was Mr. Webb, late secretary to the Treasury, and against whom a heavy charge was laid in the petition, were ordered to attend the house at the same time. Some persons of great weight in opposition, from the beginning, recommended to the ministry, that this petition should be passed by without notice, and very strongly pointed out the mischievous consequences which must attend an enquiry into that sort of matter to the house at large, and particularly to the ministers themselves. During this interval, some motions were made upon the subject, the want of success in which, seemed

indicative of the disposition that prevailed within doors, in regard to the popular prisoner, whose present situation excited the greatest attention without. Among these, it was moved to address his majesty, that the auditor of the impress should lay before the house copies of all such accounts as had been passed, declared, or received, from Philip Carteret Webb, esq. since Midsummer, 1762, which was passed in the negative. In the mean time Mr. Webb petitioned for an opportunity to vindicate himself, at the bar of the house, from the charges that were made against him; which he was allowed to do, either by himself or his counsel, at the time of hearing the matter of the petition. Application having been made also by Mr. Wilkes for liberty to attend the house, in order to support the allegations of his petition, it was complied with, and liberty of counsel allowed him for that purpose. After these previous steps had been taken, the time for hearing the matter of the petition, which had been originally fixed for the 2d of December, was however put off to the 12th of the same month; after which it was finally adjourned to the 27th of the following January; at which time the ministry seemed undetermined how to act; but a proceeding of Mr. Wilkes afforded
a new

a new opportunity or pretence to renew the prosecution against him. On one hand, many in administration and office were exceedingly averse to taking any step relative to this gentleman, as many inconveniences had formerly been experienced from such a conduct, and more were apprehended from a revival of it. Neither did the opposition seem willing to press the minister on that business; the very motion by which Mr. Wilkes's petition had been introduced into that house, having prayed no more than that it should lay on the table; a method, according to the custom of that assembly, of civilly passing into oblivion such matters as they do not choose to attend to, or formally to reject. It seems however that the party most animated towards the prosecution prevailed at length.

Mr. Wilkes, having by some means procured a copy of a letter from the Secretary of State, to certain magistrates of Surry, respecting their employing the military to aid the civil power, in quelling a riot in St. George's Fields, by which Mr. Allen, a young man of exemplary character, and respectable connections, lost his life *;

B b 3

The

* A monument to commemorate this fatal catastrophe is erected in the church-yard of St. Mary, Newington.

The Secretary of State acknowledged himself the writer of the letter, and made a complaint in the house of lords, as a peer, of a breach of privilege; and the publishers of the news-papers having acknowledged that they received a copy of the letter from Mr. Wilkes, a complaint was made to the commons, of the conduct of their member, and a conference held upon the subject by the two houses; and the matter being agitated, during the enquiry into the merits of Mr. Wilkes's petition, he with great boldness, before the house, confessed himself the author of the prefatory remarks, as well as of having sent the whole to the news printer.

The matter of the petition having undergone a long examination, during which Mr. Wilkes, in the custody of the marshal of the King's Bench, attended the house, it was finally resolved, " That
" the two orders made by Lord Mansfield, lord
" chief justice of the King's Bench, for the amend-
" ment of the information exhibited in the said
" court against Mr. Wilkes, were according to
" law and justice, and the practice of the said
" court: that the complaint of Mr. Wilkes, in
" respect thereof, is frivolous; and that the af-
" persions upon the said chief justice, for making
" the said two orders, truly conveyed, are utterly
" ground-

“ groundless, and tend to prejudice the minds of
“ the people against the administration of pub-
“ lic justice.” It was at the same time resolved,
that the charge against Philip Carteret Webb,
esq. was not made good.

The Secretary of State’s letter, and the prefatory remarks, were next day taken under consideration; when it was resolved, “ That the introduction of a letter, addressed to Daniel Ponton, esq. chairman of the quarter sessions at Lambeth, of which John Wilkes, esq. a member of the house, had confessed himself the author and publisher, was an insolent, scandalous, and malicious libel, tending to inflame the minds of his majesty’s subjects to sedition, and to a total subversion of all good order and legal government.”

These resolutions were immediately, after long and violent debates, followed by expulsion; in the vote of which, his former crimes, for which he was now suffering punishment, were complicated with the present charge; and a new writ was accordingly issued for the election of a member in his room.

The next day, at a very numerous meeting of the freeholders of Middlesex, held at the Mile-end assembly-room, George Bellas, esq. was called

to the chair, when James Townshend, esq. member of parliament for West-Looe, in Cornwall, and afterwards alderman of London, recommended the resolution of re-electing Mr. Wilkes in a very elegant and animated speech, in which he observed, that he had never seen nor spoken to Mr. Wilkes before his late expulsion; that he regarded his cause solely as the cause of the people, divested of every personal consideration or connexion; that the oppression and injuries Mr. Wilkes had suffered, were sufficient to rouse the indignation of every man, who had one generous sentiment in his breast, or the least sense of freedom and regard for the constitution; and that he would assert the right of the freeholders to the choice of their representatives, by going to give his vote for Mr. Wilkes, in case of future expulsion, as long as he should have a shilling left, or one leg to hop down to Brentford.

John Sawbridge, esq. member for Hithe, in Kent, seconded this motion with great spirit, concluding with the words of Mr. Wilkes's address, "That if once the ministry shall be permitted to say whom the freeholders shall *not* choose, the next step will be to tell them whom they *shall* choose."

Mr. Horne, Samuel Vaughan, esq. Sir Francis Blake Delaval, — Eyre, esq. — Jones, esq. and many other gentlemen of property and character, spoke to the same effect.

Mr. Wilkes was re-elected at Brentford, on the 16th, member for the county, by the unanimous voice of above two thousand of the most respectable freeholders, who, notwithstanding it proved a very wet day, attended at their own expence, early in the morning, to support this re-election, lest any candidate in the opposite interest, should have been, by a party, attempted to be surpris'd upon the county at the hustings. Every thing was conducted with the most strict and singular good order. He was put up by James Townshend, esq. member for West-Looe; and when the re-election was declared, they all around testified their joy by the most loud and unanimous shouts of applause. It may be truly said, that this re-election did not cost Mr. Wilkes a single shilling, so unanimous and so hearty were the people in his favour.

The next day, the 17th of February, 1769, the return of the previous day having been made to the house, it was resolv'd, that Mr. Wilkes having been expelled this session, was, and is, incapable of being elected a member of the present

to the chair, when James Townshend, esq. member of parliament for West-Looe, in Cornwall, and afterwards alderman of London, recommended the resolution of re-electing Mr. Wilkes in a very elegant and animated speech, in which he observed, that he had never seen nor spoken to Mr. Wilkes before his late expulsion; that he regarded his cause solely as the cause of the people, divested of every personal consideration or connexion; that the oppression and injuries Mr. Wilkes had suffered, were sufficient to rouse the indignation of every man, who had one generous sentiment in his breast, or the least sense of freedom and regard for the constitution; and that he would assert the right of the freeholders to the choice of their representatives, by going to give his vote for Mr. Wilkes, in case of future expulsion, as long as he should have a shilling left, or one leg to hop down to Brentford.

John Sawbridge, esq. member for Hithe, in Kent, seconded this motion with great spirit, concluding with the words of Mr. Wilkes's address, "That if once the ministry shall be permitted to say whom the freeholders shall *not* choose, the next step will be to tell them whom *they shall* choose."

Mr. Horne, Samuel Vaughan, esq. Sir Francis Blake Delaval, — Eyre, esq. — Jones, esq. and many other gentlemen of property and character, spoke to the same effect.

Mr. Wilkes was re-elected at Brentford, on the 16th, member for the county, by the unanimous voice of above two thousand of the most respectable freeholders, who, notwithstanding it proved a very wet day, attended at their own expence, early in the morning, to support this re-election, lest any candidate in the opposite interest, should have been, by a party, attempted to be surpris'd upon the county at the hustings. Every thing was conducted with the most strict and singular good order. He was put up by James Townshend, esq. member for West-Looe; and when the re-election was declared, they all around testified their joy by the most loud and unanimous shouts of applause. It may be truly said, that this re-election did not cost Mr. Wilkes a single shilling, so unanimous and so hearty were the people in his favour.

The next day, the 17th of February, 1769, the return of the previous day having been made to the house, it was resolv'd, that Mr. Wilkes having been expelled this session, was, and is, incapable of being elected a member of the present

present parliament. This second election was declared void, and a new writ ordered to be issued accordingly.

On the 16th of March, a third election was held at Brentford, for an election of a knight of the shire, when Charles Dingley made an offer to oppose this popular candidate; but being very roughly handled by the populace, he thought it most prudent to decline; upon which Mr. Wilkes was again re-elected without opposition.

It appears, that, at the above election, Mr. Dingley had not properly considered how far his natural fortitude was equal to the arduous task of opposing the predominant spirit of a free people: if he had stood the poll only for one hour, it was the determination of ministry, as they had declared in the circle of their private friends, to get him seated by a special vote of the house, as they afterwards did in the case of Colonel Luttrell. The reception, however, that he met with, and the countenance of the freeholders, had such an effect upon him, that he was glad to retire with his life, not having been able to find a man in the county that was hardy enough to put him in nomination: This election, as well as the former, was declared void; and near another month was suffered to elapse, before the time
was

was fixed for a new one. It was now thought that this mode of electing and declaring void, would have been carried on to the end of the session; and that it would then have lain over to the next meeting, in which time the minds of men might have cooled, or some impediment might have been found to change the nature of the discussion; and many thought, that in the present circumstances, it would have been the most prudent conduct that could have been pursued; for though great debates arose concerning the resolution of incapacitation, and the subsequent ones of voiding the election, yet the public did not think themselves so much interested in them, nor their rights in any degree so materially affected, as by the succeeding measure.

A different conduct was however adopted: a gentleman in a military character, and of considerable connexions, though of no fortune or interest immediately in the county, was hardy enough to vacate his seat in parliament by the acceptance of a nominal place, and to encounter the whole weight of popular odium, by declaring himself a candidate for the county of Middlesex; a measure at that time supposed to be attended with so much danger, that policies were
said

said to have been opened upon his life at some of the insurance-offices in the city.

This danger however proved to be only imaginary; for though some riots happened upon the road, the election was conducted with great order; the fear of giving any handle to dispute its validity, having proved superior to every other consideration with the freeholders. Though the whole weight of court interest was thrown into the scale in this gentleman's favour, yet a majority of near four to one appeared against him upon the election; the numbers being, on the poll,

For John Wilkes, esq.	1143
For Colonel Luttrell, only	<u>299</u>
Majority in favour of the cause of Liberty,	847

Two days after this election, a resolution was carried in the house, by a majority of 221 to 139, that Colonel Luttrell ought to have been returned a knight of the shire for the county of Middlesex; and the deputy clerk of the crown was ordered to amend the return, by rasing out the name of Mr. Wilkes, and inserting that of Colonel Luttrell in its place. Fourteen days having been allowed for a petition against this decision,

decision, one was accordingly presented, signed by several freeholders, which was again brought into very warm and serious debate ; when, however, upon a division, the former resolution was confirmed by a majority.

As no public measure, since the accession of the present royal family, had incited so general an alarm, or caused so universal a discontent as the present, so was no other ever opposed with more firmness, or debated with greater ability ; nor has any other political subject been so ably discussed without doors, or productive of so many masterly writings.

Mr. Cooke, the other member for Middlesex, died in October, 1768. On the 8th of November following, the election came on at Brentford, for a knight of the shire in his room, when Sir William Beauchamp Proctor, the late member, who had been ousted by Mr. Wilkes, became a candidate in the ministerial interest ; and John Glynn, esq. serjeant at law, was proposed by the friends of liberty. About two of the clock, Mr. Serjeant Glynn having polled a great majority over his opponent, a desperate riot broke out on a sudden ; the mob mounted the hustings, attempted to seize the poll-books, and entirely put a stop to the election. Great numbers of
free-

freeholders were hurt in trying to get away, and the remainder of the day was a scene of riot and confusion. The election was continued by various adjournments, until the 14th of the same month, when the poll was finally closed; the numbers being,

For Mr. Serjeant Glynn,	1542
For Sir W. B. Proctor,	1278

Majority for Mr. Serjeant Glynn, 264

Whereupon that gentleman was declared duly elected. The numbers polled at this election exceeded by forty-two the greatest number polled upon any preceding occasion.

The riot on the 8th instant, by the friends of Sir W. B. Proctor, having the label "Proctor and liberty" in their hats, was productive of most serious consequences. Mr. George Clarke, a young gentleman, was murdered by one of those miscreants, as he stood at the hustings, during the time of polling. The body was taken to the White-Hart, Welbeck-street, where the coroner's inquest was taken, before Edward Umfreville, esq. one of the coroners of the county of Middlesex, and a very respectable jury, when it appeared, from very clear and positive evidence

dence, that his death was occasioned by a blow given him by a stick or bludgeon, by some of the mob concerned in the riot, during the election on the 8th instant. The jury, very prudently, desired to have the assistance and opinion of a surgeon; when a very eminent one was sent for, who, after opening the head of the deceased, and examining him in a very particular manner, gave his opinion, that the said blow was the cause of his death. The jury, without the least hesitation, gave in their verdict, "Wilful murder against some person or persons unknown."

Laurence Balf, and Edward Macquirk, were afterwards apprehended for the above murder, and took their trial at the Old Bailey, on the 14th of January, 1769, when it appeared that the prisoners were hired, with others, previous to the day of election, for the purpose of keeping the peace, and assisting the friends of Sir W. B. Proctor; that for some time the poll went on with the greatest regularity, and without the least interruption; that all at once the prisoners, with others, began in a most outrageous manner to strike and knock down, indiscriminately, all who came in their way; and that the deceased was one of the unhappy persons who was thus violently attacked. They were both,
upon

upon the clearest evidence, found guilty. The recorder then passed sentence of death, and in his speech observed, that the procurers, however dignified, as well as the procured, were not exempt, by the laws, from equal punishment.

The trial lasted fourteen hours, and was attended by the fullest court ever known.

These men, as well as those concerned in the murder of Mr. Allen, afterwards received his majesty's free pardon.

Although Colonel Luttrell continued to keep his seat, in consequence of the unconstitutional decision of the house of commons, until the close of that parliament in 1774, he was never acknowledged by the electors of Middlesex, or by the people at large, as one of their representatives; and whenever an order was made for a call of the house, the sheriffs of Middlesex always summoned John Wilkes, esq. and John Glynn, to attend their duty in parliament, as the legal representatives of the county.

At the ensuing general election in 1774, Mr. Wilkes, and Mr. Serjeant Glynn, were unanimously re-elected; and the house of commons feeling themselves so unequal to the opposing the sense of a whole nation, suffered Mr. Wilkes to take his seat without any further opposition.

This

This county unfortunately losing Mr. Serjeant Glynn in the year 1779, who died in the month of September, the minister, aided by the late Duke of Northumberland, again attempted to obtrude a representative upon the county; and Colonel Tuffnell accordingly vacated his seat for Beverly, to become a candidate upon that interest. The late George Byng, esq. who was at that time member for Wigan, in the county of Lancaster, was put in nomination by the patriotic party; but the minister refusing to give the Chiltern Hundreds to this gentleman, as he had done to Colonel Tuffnell, prevented his being in a capacity, at that time, to accept of the honour intended him. The independent gentlemen of the county then prevailed upon Mr. Wood, of Littleton, to become their representative for the remainder of that parliament, when Mr. Byng's incapacity would be removed by its dissolution.

Upon Mr. Wood's coinciding with the wishes of the freeholders, Colonel Tuffnell, being convinced that he had no chance of succeeding, declined the contest; and Mr. Wood was unanimously elected.

At the general election in 1780, Mr. Byng was unanimously elected, together with Mr.

Wilkes, who received that honour from his constituents the sixth time.

On the 3d of May, 1782, the motion which had been annually made for twelve years, for expunging from the journals of the house of commons the famous resolution of the 17th of February, 1769, for the expulsion of Mr. Wilkes, after so long a succession of defeats, now terminated, by a majority of 68; the numbers, on the division, being, ayes 115, noes 47. It was afterwards resolved unanimously, that the said expulsion was illegal and unconstitutional.

The coalition taking place the following year, was productive of exactly the same consequences between the representatives of this county, as with the members for Westminster. Mr. Mainwaring was proposed as a candidate, in opposition to Mr. Byng, and was elected by a considerable majority, in conjunction with Mr. Wilkes, at the dissolution of the parliament which took place in 1784.

At the last general election, in 1790, Mr. Wilkes declined the honour of sitting in parliament, and was succeeded by George Byng, esq. son of the late member, and Mr. Mainwaring was re-chosen.

Middlesex

Middlesex is divided into six hundreds, and two liberties; has nearly two hundred parishes, exclusive of those in London and Westminster: it is twenty-three miles long, about fourteen broad, and about a hundred and fifteen miles in circuit; it has seven market towns, and contains two hundred and forty square miles, or two hundred and seventeen thousand six hundred acres.

Though this is reckoned one of the smallest counties, in point of extent, in the kingdom, yet, on account of London and Westminster, it pays eighty parts out of five hundred and thirteen of the land-tax. It sends 1600 men to the national militia, exclusive of London and the Tower Hamlets. Its principal river is the Thames, which is navigable 138 miles inland, from London-bridge to Lechlade, at which place it is continued by a canal to the Stroud-water canal, and through it to the Severn, which was opened November 18, 1789, at the expence of £.200,000. By means of this inland navigation, the internal trade of the country may be carried on in time of war without the interruption of our enemies.

This county has been long famous for being the residence of the king and his court, as also of the nobility, courts of justice, &c. Here

likewise are situate the houses of lords and commons, and several royal palaces, together with a great number of superb buildings, a description of which does not come within the limits of our plan.

The two sheriffs of the city of London are also the sheriffs of this county, annually chosen at Guildhall by the livery, and are afterwards presented before the barons of the Exchequer for approbation.

LONDON.

POLITICAL CHARACTER.—This city, which is one of the first in magnitude, population, commerce, and opulence, in Europe, has no more weight in the legislative representation of the country, than the united boroughs of Weymouth and Melcombe Regis, which are the property of an individual. Its members are not the representatives of the inhabitant housekeepers, resident and paying taxes within the city, but of a corporate franchise, derived under ancient charters, limited and confirmed by an act of parliament 11 George I. chap. 18, sect. 1. to the liverymen of the said city. In order to be possessed of this elective right, a man must have obtained

obtained his freedom of one of the trading companies, and likewise of the city of London, either by birth, as the son of a freeman born after his father became free; by servitude, as having served seven years apprenticeship to a freeman; by gift of the corporation; or by purchase, and afterwards, by being admitted to the livery of one of the companies. This last qualification was not always necessary, the right of election anciently having been in the freemen at large, which was the subject of many contests, until 11 George I. gave a peremptory right to the livery only. The present number is under 8000; but if the right were in the freemen at large, the electors would be nearly ten times that number; or if it were in the inhabitant housekeepers, agreeable to our ancient free constitution, the number would be 22,000.

The civil government of this city is the first and best in this country, both with regard to the respectability of its officers, and their integrity in the administration of justice. The magistrates, chosen by the freemen of each respective ward, are popular in their organization, unshackled by court influence, independent in their offices, and accountable to their fellow-citizens for the impartial discharge of the duties of their function.

tion; their future elevation to the offices of sheriff, mayor, and member of parliament, depending on the exemplary discharge of their municipal power.

This city is governed by a lord mayor, recorder, 26 aldermen, 2 sheriffs, and 236 common-council. The lord mayor is chosen out of the 26 aldermen by the livery, on Michaelmas day, who return two to the court of aldermen, out of whom the court makes choice of one to serve that important office. The sheriffs are likewise chosen by the livery in common hall, and may either be selected from the court of aldermen, or from among the freemen at large. The aldermen and common-council are chosen by the inhabitant housekeepers, being freemen of the respective wards of Aldersgate, Aldgate, Bassishaw, Billingsgate, Bishopsgate, Bread Street, Bridge Without, or Southwark, Bridge Within, Broad Street, Candlewick, Castle Baynard, Cheap, Coleman Street, Cordwainer, Cornhill, Cripplegate, Dowgate, Farringdon Without, Farringdon Within, Langborn, Lime Street, Portoken, Queenhithe, Tower, Vintry, and Walbrook. The aldermen hold their offices for life; but the common council are elected annually, on St. Thomas's day. The recorder

recorder is chosen by the court of aldermen, and holds his office for life. The other city officers of importance are, the chamberlain, common serjeant, town clerk, comptroller, collector of the city dues, two judges of the sheriff's court, four city counsel, two secondaries of the Compter, a remembrancer, and solicitor.

The lord mayor has four esquires of his household, a sword-bearer, a mace-bearer or crier, the water bailiff, and the common hunt; six gentlemen of ditto, two city marshals, and six marshal's men.

This city has had the honour of sending to parliament some of the most distinguished patriots that have adorned the page of British history: among whom may be named Sir John Barnard, Sir Stephen Theodore Janssen, and the late William Beckford, *esq.* But how does the political virtue of a great people degenerate, when a pensioner and a contractor can obtain a succession to the representative trust of such characters!

In this metropolis ministerial and aristocratical influence have no operation; artificial dignity is unknown; and no superiority is acknowledged, but that which arises from ability and merit. In the exercise of the first privilege of a freeman, the delegation of legislative power to the represen-

tatives, they are neither awed by the tyranny of control, nor influenced by the incitement of corruption.

This city had summons sent to return members to parliament so early as in the reign of 49 Henry III. and were, 6 Edward III. increased to four, which it sent very often in this reign; and has ever since 43 Edward III. constantly returned four members to parliament.

CORPORATION—Consists of a lord mayor, recorder, two sheriffs, 26 aldermen, and 236 common-councilmen.

RIGHT OF ELECTION—By act of parliament 11 Geo. II. in the livery only.

NUMBER OF VOTERS—7000.

RETURNING OFFICERS—The sheriffs.

WESTMINSTER.

POLITICAL CHARACTER.—This city could never boast of that virtue or independence which has dignified her eldest sister the city of London. Her representatives have generally been selected from the eldest sons of the nobility, who were highest in court favour, or from placemen in the superior departments of office; and, though the right of election is popular and free, it is not at

all surprising, when we recollect that this is the seat of royalty, the residence of administration, and that all the offices of government are held within its limits.

As an evidence, however, that the people, wherever they have the exercise of that power which nature and a free constitution gives, will exercise it in defiance of controul, the electors of Westminster, upon a vacancy which happened in 1769, by the present Lord Sandys succeeding to the peerage, feeling a just resentment at the unconstitutional measures adopted in respect to the Middlesex election, and which were reprobated by the whole kingdom, they returned the late Sir Robert Barnard to parliament, who had distinguished himself in support of the rights of the freeholders of Middlesex, against all the influence and intrigue of the administration of that day.

At the following election, in 1774, Lord Viscount Mahon, now Earl Stanhope, and Lord Viscount Mountmorres, were candidates on the independent interest of this city; and Earl Percy, now Duke of Northumberland, in conjunction with the Earl of Lincoln, son of the Duke of Newcastle, were supported by the united interest of the aristocracy and administration: the two latter succeeded

succeeded against the former by a majority of nearly two to one.

From this period, to the general election of 1780, the city of Westminster was ranked, in the public opinion, with the most obsequious boroughs, the Duke of Newcastle and the Duke of Northumberland being considered as its political rulers; and so completely did their ascendancy appear to be established, that upon the accession of Earl Percy to the peerage, on the death of his mother, their nomination of Lord Peterham, now Earl of Harrington, was submitted to with scarcely the shew of an opposition, although Sir Watkin Lewes was proposed by several independent electors, who virtuously offered to defray the legal and necessary expences of a poll.

At the general election, in 1780, the city of Westminster effectually burst the chains of aristocratical influence. The inhabitants having formed an association for the purpose of effecting a parliamentary reform, correcting the expenditure of the public revenue, and putting an end to the ruinous American war; and that association having appointed a committee, composed of gentlemen of the first ability, patriotism and integrity; the emancipation of this populous city was soon effected by their united exertions.

The

The ministry, feeling the vigorous arm of associated independence too powerful for the feeble resistance of aristocracy, contented themselves with attempting to carry *one member*, in the person of Lord Lincoln, uniting with him the popularity of Sir George (afterwards Lord) Rodney, who was proposed by the association, in conjunction with their illustrious chairman, the Right Honourable Charles James Fox.

The event, however, demonstrated that this partial effort was only the expiring struggle of undue influence; for, after a poll of one-and-twenty days, Mr. Fox was elected by a majority of six hundred and twenty-six votes, in conjunction with Sir George Rodney, against whom there was no opposition.

In 1782, Sir George Rodney vacated his seat by accepting a peerage, when Sir Cecil Wray, bart. was invited by the committee of the association to become a candidate, and was unanimously approved and elected by the constituent body.

The unpopular coalition which took place the ensuing year, and which divided the people from the parliament, the supporters of liberty from the cause itself, and the advocates of public men from one another, created a division between
the

the great assertor of this city's independence, and his virtuous colleague Sir Cecil Wray; men whose integrity was inviolable, whose patriotism was unshaken, and in whom the genuine principles of freedom were congenial.

The aristocracy did not fail to improve this mischievous opportunity; but in alliance with the new-fangled administration of the moment, who compose the motley group of the present day, and whose heterogeneous combination exceeds by far the political deformity of the Coalition, took the advantage of popular resentment and disunion, to introduce Lord Hood to the representation at the ensuing general election in 1784. His lordship, however, vacating his seat in 1788, on being appointed one of the lords of the admiralty, the independence of the city again manifested itself in the rejection of a placeman, and in the choice of Lord John Townshend, by a majority equal to that which was obtained by Mr. Fox on his first election.

This victory was, however, said to be obtained at the expence of fifty thousand pounds; a tax so enormous and severe upon the freedom of election, as to obliterate even the name, unless the virtue and good sense of the nation shall teach

teach them to despise the gross arts that are practised upon the most disgraceful of the human passions, to intoxicate them into a surrender of their birth-right for a mess of pottage, or to make their own imbecility the instrument of their degradation.

We trust, however, the period is not very distant, when a perfect system of representation shall be established, when the whole nation shall be exhibited at the same hour employed in exercising the important right of electing their representatives, without the possibility of incurring expence; when each individual shall deposit his suffrage in the parish where he resides, instead of travelling, at the expence of a candidate, from London to Berwick, or from Yorkshire to Cornwall, as is at present the practice; and when such regulations shall prevent the worst abuses of the best institutions that can impart happiness to a people.

A disgraceful compromise has been the consequence of these unlimited expences, in which the dignity of the city, its independence, and right to a perfect representation, are sacrificed; for whatever public measure has the sanction of one member, in the present division of party, must be opposed by the other; and the most
populous

populous city in the empire is of course deprived of its voice in all the national concerns.

Mr. Horne Tooke made a formidable opposition to this unconstitutional coalition; and we lament, with every friend to liberty, it was not a successful one. The decided and determined detestation of coalitions to destroy the freedom of election, which was shewn by the free-men of Liverpool, upon the late union of Lord Penrhyn and Mr. Bamber Gascoigne, if once generally adopted, would effectually check this conspiracy of parties, and restore the electors to the legal and constitutional exercise of their franchise.

PETITIONS.—A petition was presented to the house of commons in the year 1774, by Lord Mahon, now Earl Stanhope, and Lord Mountmorres, against the return of Earl Percy, now Duke of Northumberland, and the Earl of Lincoln; in which it was stated, That divers peers and lords of parliament publicly convassed, and otherwise unduly interfered in the election, contrary to several express resolutions of the house; and that they allowed to the electors, and several persons who had or claimed a right to vote, money, meat, drink, entertainment, or provision; and that

by

by those and other undue means a majority was procured.

A letter was proved to have been sent from the Earl of Exeter's *steward* in the country, to his lordship's *porter* in town, directing him to ask certain votes for the sitting members.

It was also proved, that the Duke of Northumberland *had called* on several of the lower class of voters.

The committee determined that the sitting members were *duly elected*.

Another petition was presented to the house by Sir Cecil Wray, and certain electors in his interest, against the return of Mr. Fox in 1784: but the merits of it were not finally entered into.

A third petition was presented by Lord Hood, against the return of Lord John Townshend in 1788, when, after an investigation of the *right of election* within the said city, the petitioner gave up his claim, and left his opponent in possession of his seat.

In determining the above question, the committee resolved, that the inhabitants of the liberty of St. Martin's-le-Grand, which is in the centre of the city of London, *had a right to vote*, and that the inhabitants of the liberty of the Savoy,

alias St. John the Baptist, which is in the centre of the city of Westminster, *had not a right to vote*, in the election of members to serve in parliament for the said city.

By this resolution, near three hundred electors were disfranchised. An appeal against this decision was, however, made by certain electors within the year, as the act of the 28th of Geo. III. chap. 52, directs, which is still undetermined.

CORRUPTION AND TREASURY INTERFERENCE.

A complaint having been made to the house of commons by Mr. Thompson, member for Evesham, and seconded by Mr. Lambton, member for Durham, against George Rose, esq. a member of that house, and secretary to the treasury, for improper interference in the election of 1788, when there was a contest between Lord John Townshend and Lord Hood, and a motion being made, that a committee be appointed to take the same into consideration, it passed in the negative, by a majority of nearly three to one; the numbers for the question being 84, against it 231.

A meeting of the electors of Westminster was convened, in consequence of the above decision, when the following resolutions were adopted:

March

March 20, 1792.

WESTMINSTER MEETING.

At a numerous and respectable Meeting of the Independent Electors of the City and Liberty of WESTMINSTER, held at the *Crown and Anchor Tavern*, this day,

HARRY HOUSE, Esq. in the Chair,

The following resolutions were unanimously agreed to :

I. That it appears to this meeting that a motion was made on Tuesday the 13th of March, 1792, in the house of commons, for " An enquiry into all abuses committed by persons in office at the election of a member to serve in parliament for the city of Westminster, in the month of July 1788, as far as the same related to penalties incurred under the excise law, and lottery act;" which motion was rejected.

II. That it appears to this meeting, that George Smith, a publican in Westminster, was in the year 1788 convicted, on the prosecution of the attorney general, in the sum of fifty pounds, for brewing beer for sale, without a licence; and that the prosecution was officially conducted by John Vivian, esq. solicitor to the board of excise.

VOL. I.

D d

III. That

III. That, in the month of October 1788, the said George Smith was employed by George Rose, esq. secretary to the treasury, as an emissary and agent in favour of Lord Hood, one of the lords of the admiralty, at that time prosecuting a petition in parliament against Lord John Townshend, the successful candidate at the election for Westminster in 1788; and that the said petition was tried before a committee of the house of commons, in the months of April, May, and June, 1789.

IV. That, in the month of January 1789, Geo. Smith applied to the said George Rose, esq. stating the particular circumstances of this case in a petition, and praying to have the penalty he had incurred, remitted; That the said George Rose, esq. did forward the said petition to the chairman of the board of excise, and did afterwards send a letter to the secretary, desiring as a favour, that all proceedings on Smith's penalty might be stopped, till the chairman, who was at that time absent, returned to town.

V. That on the 8th of April 1789, the said George Rose, esq. did write to the said George Smith, in these words; " Mr. Rose desires Mr. Smith will call on him in Old Palace-yard, to
" morrow,

"morrow morning, at eight o'clock, as Mr. Vivian will then be there."

VI. That it appears to this meeting, that the secretary of the treasury, in thus procuring a secret interview early in the morning, at his own house, between the solicitor to the board of excise, and the convicted defendant, acted in a manner highly suspicious.

VII. That, from the nature of the transaction, it is difficult to know what passed at such a clandestine meeting; but it appears by a receipt from the excise-office, signed "John Vivian," that no part of the penalty incurred by the said George Smith was levied before the 14th of May, 1790, being a respite of above thirteen months, from the time of the private interview at Mr. Rose's house.

VIII. That, during the first part of these thirteen months, the said George Smith was extremely useful to the treasury in forwarding the interests of Lord Hood, the unsuccessful candidate, and, during the latter part of the period, extremely troublesome to the treasury, in demanding to be paid for his services—That the excise penalty appears to have slept, while he was an election agent, and only became active, when he

shewed himself in the shape of an unsatisfied creditor.

IX. That the said George Smith, being unable to procure from the secretary of the treasury payment of his bill for his said election services, as his agent, brought an action against him to recover the amount.

X. That this action was tried in the month of July, 1791, before the Lord Chief Justice of the court of King's Bench, by a special jury, who, by giving a verdict for the whole demand of the plaintiff, did thereby declare themselves satisfied that Smith had performed election services against Lord John Townshend, at the request of the secretary of the treasury. That the said action was defended by the solicitors to the treasury.

XI. That, in the course of the trial of this action, the following material evidence was given upon oath by the solicitor for Lord Hood, viz.
"That Mr. Rose had, while the petition against
"Lord John Townshend was depending, assured
"him he might trust Smith, because there was a
"prosecution going on against him in the excise ;
"and as a mark of the trust and confidence they
"had in him, they had interfered and stepped in
"to serve him."

XII. That

XII. That this evidence was uncontroverted upon the trial, and has since been circulated in a printed statement for above eight months, without refutation.

XIII. That the above-mentioned proceedings do appear to this meeting to warrant an opinion, that Mr. Rose, by using that influence with the board of excise and its solicitor, which his situation as secretary to the treasury afforded him, has endeavoured, as far as in him lay, to apply the penalties provided by act of parliament for the punishment of frauds upon the revenue, to the corrupt purpose of establishing an undue influence in the election of a member of parliament.

XIV. That this meeting, considering the great and increasing extension of the excise laws, and the number of individuals subject to their operation, cannot but entertain the most alarming apprehensions of danger to the freedom of election, should the influence, which administration must necessarily have in the execution of those laws, be made use of for the purpose of corrupting or intimidating the minds of the electors of this kingdom.

XV. That John Hoskins having been arrested on the affidavit of the solicitor of the lottery,

and then being a prisoner in the King's Bench prison, for penalties to the amount of 700*l.* incurred under the lottery act, did offer to the said solicitor, who at the time did also act as agent to Lord Hood, to procure sixty votes for the said Lord Hood, in consideration of his release from prison.

XVI. That the solicitor of the lottery declined complying with the said proposition, until he had consulted higher authority, and that, after a short interval of time, the proposal was accepted; and on Hoskins having procured sixty persons to vote for Lord Hood, he was actually discharged from prison, on bail notoriously insufficient.

XVII. That the expence attending the putting in and justifying such bail, so notoriously insufficient, was in part defrayed by Lord Hood, a candidate at the said election, and one of the ords of the admiralty.

XVIII. That there is reason to believe that this transaction would have been traced to persons of higher authority, and that other instances of equal enormity on the part of the servants of the crown in the said election, would have been proved, had an enquiry been granted.

XIX. That the electors of Westminster, taking into their consideration the above circumstances,
anxious

anxious to maintain the freedom of election thus daringly invaded, to prevent a misapplication of the public money, and to preserve from abuse powers which, even in the purest exercise of them, must be considered as dangerous, but which, if misapplied, would become absolutely destructive to the liberties of the people, do consider a parliamentary enquiry as necessary to secure the constituent body of this kingdom in the free enjoyment of their constitutional privileges, and to preserve the independence of the house of commons.

XX. Resolved, That a petition be presented to the house of commons, praying them to take the above matter into their most serious consideration, and to institute a sincere and solemn enquiry, as the best means of correcting the abuses that have been complained of.

XXI. That a committee be appointed to draw up a petition according to the tenor of the above resolutions ; and that copies of the same be left for signature at the Crown and Anchor, the Shakespeare, St. Alban's, and King's Arms Taverns, and such other places as the committee may appoint.

Resolved, That the thanks of this meeting be given to the chairman, for his able and independent conduct this day.

HARRY HOUSE, *Chairman.*

Westminster is governed by the dean and chapter, both in civil and ecclesiastical affairs; and their authority likewise extends, not only to the precinct of St. Martin's-le-Grand, and to some towns in Essex, but to some towns that are exempted from the jurisdiction of the Bishop of London, and the Archbishop of Canterbury. The civil administration is in the hands of laymen, elected by the dean and chapter. The principal magistrate is the high-steward, who is commonly one of the greatest peers of the kingdom, and is chosen for life; a deputy-steward, who is nominated by the high steward, and confirmed by the dean; an high-bailiff, nominated by the dean and chapter, and confirmed by the high-steward. These enjoy their places for life. Besides these officers, there are also sixteen burgesses, and as many assistants; a high constable, chosen by the burgesses at the court-leet, which is held by the deputy of the high-steward. The high

high-bailiff is always supposed to be conversant in the law. He has the power of a sheriff, summons juries, presides over the constables of the city and liberties, superintends elections for members of parliament, and in the court-leets sits next to the deputy-steward, where he receives all the fines and forfeitures to his own use: but the business of this office is commonly executed by a deputy well versed in the laws. Out of the sixteen burghesses, two chief burghesses are chosen, one for the city, and the other for the liberties; and each of the others has his proper ward under his jurisdiction. There is also a high constable, who is likewise chosen by the court-leet, and has all the other constables under his command.

The first return of members of parliament for this city was in 1 Edw. VI.

RIGHT OF ELECTION.—1680, 15th November. The king's menial servants, not having proper houses of their own within the city of Westminster, have not a right to give voices in the election of citizens to serve in parliament for the said city.

1789, 11th May. The right of election for the city and liberty of Westminster is in the inhabitant householders, paying scot and lot, within the united parishes of St. Margaret and St. John,

John, and the several parishes of St. Paul, Covent Garden, St. Anne's, St. James, St. George, Hanover Square, in the liberty of St. Martin-le-Grand, in the county of Middlesex, and in so much of the parishes of St. Martin in the Fields, St. Clement Danes, and St. Mary le Strand, as are not within any of the four wards of the liberty of the Duchy of Lancaster.

NUMBER OF VOTERS—About 17,000; but not more than 13,000 have ever polled.

RETURNING OFFICER—The high bailiff.

MONMOUTHSHIRE.

POLITICAL CHARACTER.

THE chief influence that prevails here is that of the Duke of Beaufort, and Sir Charles Morgan, bart. of Tredegar, in this county.

The Duke, however, when the late Mr. Morgan was first a candidate to represent this county, made an attempt to bring in both the members, and set up Valentine Morris, esq. of Petersfield, to oppose his interest; but the spirited exertions
of

of Mr. Morgan's friends, united with those of the independent gentlemen, finally prevailed, and their own member was accordingly seated.

This county is seated in the province of Canterbury, and diocess of Landaff, and contains one hundred and twenty-seven parishes. It is divided into six hundreds, and has seven market towns, Monmouth, Abergavenny, Caerleon, Chepstow, Usk, Pontipole, and Newport.

MONMOUTH TOWN.

POLITICAL CHARACTER.—This borough, in conjunction with those of Usk and Newport, both in this county, sends but one member to parliament. The Duke of Beaufort is considered the patron and leader of this town, and his interest always procures the return of the member.

This borough was first privileged to send members to parliament by Hen. VIII.—Edw. VI. is said to have incorporated it, *anno regni* 3, 1550; but the present charter was granted *anno* 19 Charles I.

CORPORATION.—It is governed by a mayor, recorder, 2 bailiffs, and 15 common-councilmen.

RIGHT

RIGHT OF ELECTION—1680, 26th Nov. Doth not belong to the burgesſes inhabitants of the brough of Monmouth only.

The burgesſes inhabitants of the boroughs of Newport and Uſk, in the county of Monmouth, have a right to vote in the election of a burgeſs to ſerve in parliament for the ſaid borough of Monmouth.

NUMBER OF VOTERS—About 800.

RETURNING OFFICER—The mayor and bailiffs.

PATRON—The Duke of Beaufort.

NORFOLK.

POLITICAL CHARACTER.

THIS county, in point of opulence, may be claſſed with ſome of the firſt in the kingdom. The nobility reſide here in great numbers; but they have not, when united, ſufficient power to influence effectually the freeholders in the choice of their own own representatives. Thomas William Coke, eſq. one of the richeſt commoners in England,

England, and their representative in the parliament before the last, became so unpopular, on account of the support which he gave the Coalition, that the independent gentlemen made such an opposition against the weight of interest which supported him, that they at length finally triumphed. Mr. Coke was ousted, and Sir John Woodhouse, bart. was elected in his room.

NORWICH.

POLITICAL CHARACTER.—This city, in point of opulence, commerce, manufactures, and number of inhabitants, is the second in the kingdom. It is entirely free and independent in its representation, and is only influenced in the election of its members, by integrity, virtue, and eminent abilities. It forms a striking contrast with some rotten boroughs, and burgage tenures, the property of individuals, where the few electors which they contain can consider only the will and command of their lordly master. Here the right of delegating this important trust, is placed as it ought to be, and where our constitution, pure and free from alloy, vested it in so large a body of the people, that the dictatorial authority of

of those who call themselves the *great*, has no effect.

CORPORATION.—A mayor, a recorder, two sheriffs, twenty-three aldermen, and sixty common-councilmen. The mayor is nominated by the freemen, who return two aldermen to their court, one of whom is elected. The mayor, recorder, and the steward for the time being, are justices of the peace, and of the quorum, in the city and its liberties; the mayor, after his mayoralty expires, is justice of the peace for life. One of the sheriffs is annually elected by the aldermen, and the other by the freemen.

RIGHT OF ELECTION. 1701, *March* 12—Is in the freeholders, and such freemen only of the said city as are entered in the books, and do not receive alms or charity.

NUMBER OF VOTERS—about 3000.

RETURNING OFFICERS—the sheriffs.

YARMOUTH.

POLITICAL CHARACTER.—This large town is independent in its political situation; for, although the families of Townshend, of Honingham, and Walpole, have some interest here, yet it is not in such a degree as to be termed an influence. Sir

I

John

John Jarvis and Mr. Beaufoy carried their election in 1774, against the united efforts of the above gentlemen.

CHARTER.—By a charter granted by Hen. III. the town is bound to send every year to the sheriffs of Norwich a hundred herrings, baked in twenty-four pasties, which the sheriffs are to deliver to the lord of the manor of East Carleton, a village near New Buckenham: he gives the sheriffs his receipt for them, and by his tenure is obliged to present them to the king wherever he is.

This town was governed by two bailiffs in the reign of Hen. III. King James I. *anno regni* 6, incorporated by the name of bailiff and aldermen. It sent members to parliament in the reign of Edw. I. as early as Lynn and Norwich did.

CORPORATION.—It is governed by a mayor, seventeen aldermen, a recorder, and thirty-six common-councilmen.

The corporation has particular and extensive privileges, it having both a court of record, and an admiralty: in the court of record, civil causes are tried for unlimited sums; and in the court of admiralty, they can, in some cases, try, condemn,

demn, and execute, without waiting for a warrant.

RIGHT OF ELECTION—in the burgesſes at large.

NUMBER OF VOTERS—787.

RETURNING OFFICER—the mayor.

THETFORD.

THE patronage of this borough is in diſpute between the Duke of Grafton and Lord Petre. Enormous expences have been incurred in law, by each party attempting to invalidate the appointments of mayors, aldermen, and common-council, in the oppoſite intereſt to each other. Information upon information has iſſued from the courts; and as corporate rights have no uniform definition, they muſt be the cauſe of endleſs litigation. The late diſgraceful conteſt, and violent proceedings, in the election of a mayor, where two of the corporation were ſeized and detained by violence from giving their votes, has been too recently a ſubject of legal inveſtigation and public notoriety to require a recapitulation in this work; and the innumerable inſtances of ſimilar contentions that
are

are daily occurring, renders them too familiar to attract particular attention.

This is a town of considerable extent and population, and had formerly twenty churches, besides religious houses. It first sent members to parliament the 1st of Edward IV. and the right of election was in the inhabitants at large; but it was afterwards incorporated the 16th of Elizabeth, and the right of election, by resolution of the House, in 1685, given *exclusively* to the corporation.

RESOLUTIONS ON THE RIGHT OF ELECTION.

3d of May, 1685. The charter of the 16th of Elizabeth, granted to the borough of Thetford, was not duly nor legally surrendered.

7 June, 1685.—Is in the mayor, ten aldermen, and twenty common-council.

NUMBER OF VOTERS—31.

RETURNING OFFICER—The mayor.

PATRONS—The Duke of Grafton and Lord Petre.

CASTLE RISING.

POLITICAL CHARACTER.—This borough forms the most striking contrast with the city of Norwich. The burgesses here formerly were about

fifty in number; but since this town has become the joint property of Lord Clinton, and R. B. Howard, esq. they have thought it convenient to reduce this number to *two* only. The election of a mayor, who is also the returning officer, must be made annually, out of this numerous body, consisting of the clergyman and the farmer, who elect each other alternately into this great and respectable situation, and who have the honour to return to the house of representatives as many members as the constituent body consists of. Nothing can hold out the imperfect representation of this country in more glaring colours than this, or demonstrate more forcibly the immediate necessity of some kind of reformation.

Castle-Rising is an ancient borough by prescription. It was formerly a considerable place; but the harbour being choaked up with sand, it is in a manner deserted, and has lost its trade and inhabitants. Here is, however, an hospital for twelve poor men, and an almshouse for twenty-four poor widows, both founded by the family of the Howards. In the neighbourhood of the town is a large chase, with the privileges of a forest. This town, and some of the neighbouring parishes, retain the old Norman custom, by
which

which all wills must be proved before the parson of the parish.

This borough never sent members to parliament till the last year of King Philip and Queen Mary, 1558.

CORPORATION.—It is governed by a mayor, who is returning officer.

RIGHT OF ELECTION—in the free burgesses.

NUMBER OF VOTERS—TWO.

PATRONS—Lord Clinton, and R. B. Howard, esq.

LYNN.

POLITICAL CHARACTER.—This borough was always attached to the Walpole family, under whose influence it continues at this time. Sir Robert Walpole was member for this place at the time of his famous expulsion, in 1711, for alienating five hundred pounds of the public money; the words of his expulsion being “for breach of trust, and notorious corruption when secretary at war.” And it was resolved “that he was, and is incapable of being elected a member to serve in parliament.” The electors of Lynn, however, chose him again, although opposed by a Mr. Taylor. The unsuccessful candidate pe-

tioned the house against the re-election of Sir Robert Walpole; but the house had the modesty to refuse Mr. Taylor, on account of his having only a minority of votes, and declared the election void. In this case the commons acted constitutionally; but in seating Mr. Luttrell for the county of Middlesex, instead of Mr. Wilkes, their conduct was certainly the reverse. Their conviction of the proceedings upon that head being improper, is manifested in their expunging those resolutions which had passed formerly, relative to that business, declaring them illegal and unconstitutional.

ANCIENT STATE.—Lynn-Regis, or King's-Lynn, is thus named, by way of distinction from three villages in the county, called West-Lynn, North-Lynn, and Old-Lynn. The learned author of the additions to Camden observes, that its original name was Len, which, in the Saxon tongue, signifies a farm or tenure in fee. It was formerly called Bishop's-Lynn, from its belonging to the bishop of Norwich; but coming by exchange into the hands of Henry VIII. it obtained its present name. The greatest part of it is surrounded with a wall and a deep trench; and through it runs four small rivers, over which there are about fifteen bridges. From

the ruins of the works demolished in the civil wars, it appears to have been a place of great strength. It extends along the east side of the Ouse, which, upon a high spring tide, is said to rise twenty feet perpendicular, and is about the breadth of the Thames, above London bridge.

At the north end of the town is a fortress, commonly called St. Anne's fort, with a platform of twelve large guns, which command all ships that go in and out of the harbour. Besides the wall, it is defended by regular bastions; and the ditch lies almost in the form of a semicircle. The principal church is dedicated to St. Margaret, and is built in the Gothic taste. It is accounted by some, one of the largest parish-churches in England.

King's-Lynn was a borough by prescription before the reign of King John, who, on account of its adhering to him against the barons, made it a free borough, with large privileges, appointing the town a provost, and giving it a silver cup of about eighty ounces, double gilt and enamelled, with four large silver maces, that are carried before the mayor: King Henry VIIIth's sword, which he gave to the town, on its coming into his possession, by exchange, with the bishop of
E e 3 Norwich,

Norwich, is likewise carried before the mayor. King Henry III. made it a mayor town, on account of the inhabitants serving him against the barons; and in the late civil wars it held out for Charles I. and sustained a siege against upwards of 18,000 men, for above three weeks; but, for want of relief, was at length obliged to surrender, and to pay ten shillings a head for every inhabitant, with a month's pay to the soldiers, to prevent its being plundered. This town has had fifteen royal charters. It was made a borough in the fifth year of the reign of King John, 1204. Here was a mayor in the reign of Edw. IV.

CORPORATION.—It is governed by a mayor, an high-steward, an under-steward, a recorder, twelve aldermen, eighteen common-councilmen, with other inferior officers.

Every first Monday in the month, the mayor, aldermen, magistrates, and preachers, meet, to determine all controversies in an amicable manner, between the inhabitants, in order to prevent law-suits. This excellent custom was established in 1558, and is called the feast of reconciliation.

NUMBER

NUMBER OF VOTERS—about 300.

RETURNING OFFICER—the mayor.

PATRON—Lord Walpole.

NORTHUMBERLAND.

POLITICAL CHARACTER.

THE balance between aristocracy and independence is nearly even in this county. The interest of the Duke of Northumberland is so powerful, as to return one of the members; but in 1774, he attempted to bring in both: in this he was opposed by Sir William Middleton, one of the present representatives, who, assisted by the independent yeomen and gentlemen, finally obtained a victory, and was accordingly seated.

ANCIENT STATE.—This is the old Saxon name of the county; which was written Northan-Humber-lond, signifying the land or country north of the Humber; it being formerly not only a district of larger extent than it is at present, comprehending Yorkshire, Durham, Lancaster, Westmoreland, and Cumberland, as well as Northum-

berland, but was a distinct kingdom of the Saxon heptarchy. It is a maritime county, extending farther north than any of the others, bordering on Berwick-upon-Tweed and Scotland.

This, with some of the adjacent counties, was, in the time of the Romans, inhabited by the Ottadini, Ottadeni, or Ottatini, a people supposed to have been thus called from their situation upon the river Tyne. These people being uneasy under the Roman government, conspired with the Caledonians, in the reign of the emperor Severus, and threw off the yoke; at which that prince was so provoked, that having assembled his army, in order to reduce them, he had the cruelty to order his soldiers to give them no quarter; but his death prevented the execution of this inhuman command, and the Britons were left masters of this province, till Theodosius, landing in England, recovered it out of their hands.

After the Romans had withdrawn their forces, the Britons, who had been exhausted by the bravest of their youth having been sent abroad to fight the battles of the Romans, were obliged to call in the Saxons to assist them against the Scots and Picts; but when the Saxons had vanquished their enemies, they settled here themselves, and divided the south part of the island into seven kingdoms,

kingdoms, of which Northumberland was one of the chief. It was first brought under the Saxon yoke by Offa, the brother of Hengist, and his son Jebusa.

This county lying on the borders of Scotland, whose inhabitants often made inroads into it, partly for conquest, and partly for pillage, it was at length found necessary to constitute particular governors to guard and defend the borders; and these were called Lords of the East, West and Middle Marches. At the same time, every man who possessed great wealth, found himself obliged to provide a castle for his own safety and defence.

Northumberland is situated in the province of York, and diocess of Durham, has four hundred and sixty parishes, and is divided into six wards, in which are twelve market towns, Alnwick, Bekeford, Berwick, Ellesdon, Haltwessel, Hexham, Laermouth, Morpeth, Newcastle, Rothbury, Warkworth, and Woller. It sends eight members to parliament, that is, two knights of the shire for the county, and two representatives for each of the three following towns, Newcastle-upon-Tyne, Morpeth, and Berwick-upon-Tweed.

NEW.

NEWCASTLE-UPON-TYNE.

POLITICAL CHARACTER.—The freedom of this town, to which the right of election is annexed, is not partial, like Retford and other places, in its descent to the eldest son, or, like Durham, to the youngest sons of freemen; but extends to all the sons born after the father became free.

The number is too extensive to submit to controul. The contests for the representation of this town have been numerous; but none of them have been attended with any circumstances of novelty which would arrest the attention of the public. Its present representation, like Westminster, Bristol, &c. is settled by a coalition of parties.

The ancestors of Mr. Brandling, one of the present members, have represented the place so long since as the reign of Edw. VI. and in several parliaments from that period to the present time.

This town, which, from its situation, is called Newcastle-upon-Tyne, to distinguish it from Newcastle-under-Line, in Staffordshire, had its name from a castle built here by Robert, the eldest son of William the Conqueror, to defend

the country against the Scots. In the time of the Saxons it was called Moncaſter, from the monks that were here, who all fled when it was depopulated by the Danes. This is the principal town of the county. It is ſeated on the north bank of the river Tyne, at the diſtance of 276 miles north by weſt of London, 14 miles north of Durham, and 48 north by weſt of York. It has been a borough, at leaſt ever ſince the reign of Richard II. who granted the mayor the honour of having a ſword carried before him; and Hen. VI. made it a town and county of itſelf, independent of Northumberland.

Newcaſtle had ſeveral religious houſes erected ſince the time of the conqueſt; particularly an hoſpital dedicated to the Virgin Mary, ſuppoſed to have been founded in the reign of Edward I. but enlarged and endowed by one Affelack, about the end of the reign of Hen. II. and annexed to St. Mary of Weſtgate. Near Weſtgate was another hoſpital, dedicated to the Virgin Mary, as old as the time of Hen. III. conſiſting of a maſter and fix brethren, whoſe revenues, at the time of the ſuppreſſion, annually amounted to 26l. 13s. 4d. In the time of Hen. III. here was a priory of brethren *de Pœnitentia Jeſu Chriſti*, ſeated in a part of the town called Conſtable-Garth. Be-
tween

tween Westgate and Newgate was a house of Black friars, founded about the year 1260, by Sir Peter Scot, and his son Nicholas: and near Pandon-gate, stood a house of Grey friars, founded before the year 1300. Near the town was a small Benedictine nunnery, dedicated to St. Bartholomew, as old as the time of William the Conqueror, which, at the dissolution, had ten nuns, and a revenue amounting to 36l. a year. Without the walls of the town was likewise a priory, or hospital, dedicated to St. Mary Magdalen, of a master and brethren, founded by King Henry I. This hospital is still in being, and consists of a master, and three poor brethren, each of whom has 3l. 6s. a year.

This town was made a county of itself, by Henry VIII.

CORPORATION.—It is governed by a mayor, recorder, aldermen, and a sheriff.

RIGHT OF ELECTION.—There is no resolution of the house of commons respecting the right of election, but it is admitted to be in the corporation and free burghesses, resident and non-resident.

NUMBER OF VOTERS—2500.

RETURNING OFFICER—the sheriff.

MORPETH.

MORPETH.

POLITICAL CHARACTER.—This borough is under the immediate and absolute controul of the Earl of Carlisle. Several attempts have been made by the electors to surmount this influence, but they have never been attended with success.

At the general election in 1774, Francis Eyre, esq. and Thomas Charles Bigge, esq. were candidates in opposition to the Hon. William Byron, who was cousin, and Peter Delme, esq. who was brother-in-law, to the Earl of Carlisle. On the day of election, and after the close of the poll, these gentlemen, having the majority of votes, agreeable to the poll taken by the bailiffs, the populace, by threats and violence, compelled the returning officers to sign a return of Mr. Eyre, instead of the Hon. William Byron, under a pretence that they had rejected many legal votes for Mr. Eyre, which would have given him a majority upon the poll. On the 6th of December following, Mr. Byron, and certain electors in his interest, presented two petitions to the house of commons, complaining of the undue return of Mr. Eyre. A committee was chosen

chosen to try the same on the 24th of January following, and, on the 27th of the same month, reported to the house,

“ That the honourable William Byron, the
“ petitioner, ought to have been returned a bur-
“ gess to serve in this present parliament for the
“ borough of Morpeth.”

At the same time an order was made;

“ That Francis Eyre, and the freemen and
“ electors of the borough of Morpeth; in the
“ county of Northumberland, be at liberty to
“ petition this house, to question the election of
“ the Honourable William Byron, within fourteen
“ days next, if they think fit.”

And, on Wednesday the 8th of February, a petition of Mr. Eyre was presented to the house, charging Mr. Byron and Mr. Delme directly with bribery, by themselves and agents; and that by the partiality of the returning officers, in rejecting the petitioner's votes, and by other corrupt and illegal practices, an apparent majority was procured for the sitting members.

A similar petition had previously been prepared by Mr. Bigge, and another by several aldermen and free burgesses of Morpeth, containing the same allegations.

These

These petitions were all ordered to be taken into consideration on the 12th of July.

The house being prorogued before that day, and the petitions not being renewed at the ensuing meeting of parliament, no examination of their merits took place.

ANCIENT STATE.—This borough, which is seated upon a small river, called the Wentbeck, is an ancient borough by prescription. It has a bridge over the Wentbeck, which runs almost through the centre of the town. Being a post town, and having a great thoroughfare to the north, it has several good inns, and an elegant town-house, built by a late Earl of Carlisle.

It never sent to parliament till the first of Queen Mary, 1553.

CORPORATION.—It is governed by two bailiffs and seven aldermen.

RIGHT OF ELECTION—1694, *March 9th*—Is only in the bailiffs and free burgessees of the said borough.

NUMBER OF VOTERS—200.

RETURNING OFFICERS—the two bailiffs.

PATRON—Earl of Carlisle.

BERWICK

BERWICK UPON TWEED.

THE influence prevailing in this town, is that of the Earl of Lisburne and Lord Delaval; each of those noblemen having a sufficient weight of interest, at present, to return one member.

ANECDOTE.

In the year 1768, Sir John Hufsey Delaval, and Robert Paris Taylor, esq. were candidates to represent this town in parliament, and had been fortunate enough to secure the major part of the resident freemen in their interest, some time previous to the election. The candidates, however, who were in opposition, canvassed, and obtained the promise of the votes of a great number of the non-resident freemen, who then lived in London, and agreed with a master of a ship, that he should hire another vessel, besides his own, and convey these men down to Berwick by water. Upon covenanting to do this, the commodore of the convoy received two hundred pounds.

Mr. Taylor, by whom we were favoured with this account, was then in town, and, by accident

dent, heard of the transaction ; upon which he immediately went in search of the admiral of this election cargo, whom he found. He soon perceived that this son of Neptune might, for a valuable consideration, be induced, not only to change his side, but also his course ; and, for twice the sum which had been given him to land his troops at Berwick, he arrived safe, and deposited them on Norwegian territories. By this manœuvre, Lord Delaval and Mr. Taylor took possession of their seats without farther expence.

Berwick, which is a town and county of itself, had a castle, which is now in ruins ; but has still a wall round it, built by order of Queen Elizabeth ; and is farther strengthened by its situation, it being almost encompassed by the river and the sea.

This town was summoned to return members to parliament in the reign of Henry VIII.

CORPORATION.—By a charter granted by King James I. in the year 1602, it is governed by a mayor, recorder, one alderman, and four bailiffs, all of them chosen annually out of the burgeses of the town.

RIGHT OF ELECTION.—1695, March 9th—In the freemen resident and non-resident.

NUMBER OF VOTERS—600.

RETURNING OFFICERS—Mayor and four bailiffs.

PATRONS—Earl of Lisburne and Lord Delaval.

NORTHAMPTONSHIRE.

POLITICAL CHARACTER.

THIS county presents us with the most violent contest, for aristocratic pre-eminence, that has happened for many years in this country. It arose between the late Earl of Halifax and the present Earl of Northampton, in opposition to the late Earl Spencer.

The effects of this struggle were of such a tendency to the parties embarked in it, as to cause the estates of the Earl of Halifax to be sold soon after his death for the benefit of his creditors; the Earl of Northampton, to live out of his native country; and the fortune of Earl Spencer to be so much hurt, as not yet to be entirely recovered. The final issue of the business however, was, that each party, at that time, brought in one member; and the enormous expences with which this paroxysm
for

for power was accompanied, have since permitted the independent party to exercise their rights in the election of their representatives.

This county is divided into twenty hundreds, containing the city of Peterborough, and eleven market towns, viz. Brackley, Daventry, Higham-Ferrers, Kettering, Northampton, Oundle, Rockingham, Thrapston, Towcester, and Wel-
lingborough. It lies in the province of Can-
terbury, and diocese of Peterborough, and has three hundred and thirty parishes. It sends nine members to parliament; viz. two knights of the shire for the county, two citizens for Peterborough, two burgeses for Northampton, two for Brackley, and one for Higham-Ferrers.

NORTHAMPTON TOWN.

POLITICAL CHARACTER.—The right of elec-
tion in this town being in the inhabitant house-
holders, such of them as receive an annual dona-
tion, distributed at Christmas, are, by a special
resolution of the house, disqualified from voting.
This resolution is not only repugnant to the
spirit of what may be called the present com-
mon law of the committees, but expressly con-
trary to the decision on the Bedford petition

in 1775 and 1792; when it was determined, that persons receiving *charity* were not thereby disabled from voting, but that receiving *alms* was a disqualification. By this we are to understand, that the word *alms* and *charity* are not synonymous.

CONTRARY DETERMINATIONS.

In the case of Aylebury, 28th January 1698-9, it was resolved, that all persons receiving *alms* within the borough of Aylebury, pursuant to the will of Mr. Beresford, or any other persons receiving *any other charity annually distributed* within the said town, are, in respect thereof, disabled to vote in the election of burgesses to serve in parliament.

Dec. 4, 1708. In the case of the borough of Reading, it was resolved, That such persons as have, within *two years* last, received *Kendrick's charity*, or any other *annual charity*, have no right to vote in the election of burgesses to serve in parliament.

In the Coventry case, February 24, 1701-2, it was resolved, that the freemen of Coventry, receiving *alms* or *charity*, have no right to vote in the election of citizens to serve in parliament.

In 1609, the house of commons resolved, That *alms* meant only parish relief; and in the case of Sandwich, the 31st of *October* the same year, it was especially agreed to by the committee, that the freemen of the port of Sandwich inhabiting within the said Port, *although they receive alms*, have a right to vote. To reconcile these contradictory resolutions, no other remedy can be adopted but that of a plain and simple *parliamentary reform*! every question of election right being, under the *present form* of representation, equally inexplicable, the removal of which will employ the committees of the house of commons to the end of time, without any other consequence than that of involving it in greater complication and intricacy. The necessity of recurring to the plain and simple constitution of our Saxon ancestors becomes every day more evident, when every master of a family, or, in the modern acceptance of the form, every inhabitant housekeeper, throughout Great Britain, shall be admitted to the free exercise of his franchise. The questions then respecting residence and non-residence, freemen obtaining their exclusive rights by private favour or purchase, and the endless train of abuses and impositions to which the house of commons and
the

the public are at present liable, would be removed.

The corporation of this town is in the interest of the Earl of Northampton, who is their recorder, and has the influence of nominating one of their members.

This town sent *ab origine*.

CORPORATION.—It was incorporated by charter of King James I. anno 16—, and consists of a mayor, 2 bailiffs, a recorder, and 48 common-councilmen, out of whom the mayor is chosen, who is ever after reputed an alderman.

RIGHT OF ELECTION—1665, April 26—In the inhabitant householders, not receiving alms.

NUMBER OF VOTERS—900.

RETURNING OFFICER—the Mayor.

PATRON—Earl of Northampton, partially.

PETERBOROUGH CITY.

THIS city has a peculiar jurisdiction, independent of the county of Northampton, which extends over thirty-two towns and hamlets, in which the civil magistrates are appointed by royal commission, and are vested with the same power as the judges of assize.

The

The liberty of the Tower Hamlets in the county of Middlesex, is similar in every thing but the power of its magistrates, which does not exceed that of an ordinary justice of the peace for a county in the latter ; while in the former it extends to the trial of capital offences, at their quarterly sessions, which are held in this city.

The right of voting for members of parliament does not, however, extend to the inhabitants of these *thirty-two towns and hamlets* : care has been taken by the house of commons, in their resolutions of the 13th of May, 1728, to confine that privilege to the inhabitants within the precincts of the Minster, and the other inhabitants of the city alone, being householders, not receiving alms, and paying scot and lot.

The liberty of the Tower Hamlets, indeed, is altogether without representation, though it embraces the populous and opulent manufacturing district of Spital-fields ; and extends from the borders of the city of London in Whitechapel, to Statford in the county of Essex ; yet, like this liberty, it has all the other local distinctions of a separate county, and each has a lord-lieutenant and a militia different from those of the counties

of

of Middlesex and Northampton, in which they are situated.

Earl Fitzwilliam, the present lord-lieutenant of Peterborough Liberty, possesses the parliamentary patronage of this city, which he commands with as much ease as that of his burgage-tenures at Malton and his corporation at Hingham-Ferrers; and the dean and chapter of the cathedral appoint the returning officer.

There being neither mayor, recorder, nor corporation in this city, the steward or bailiff of the chapter, officiates as sheriff at elections, and makes the return of its members.

This city first sent members to parliament *anno* 1547, 1 Edward VI.

RIGHT OF ELECTION—1701, 16 June. Agreed, that the right was in the inhabitants paying scot and lot.

1728, 9 April. The execution of the precept for electing citizens to serve in parliament, and the making the return thereof, are in the bailiff of the said city, appointed by the dean and chapter of the cathedral church of Peterborough.

1728, 13 May. The right of electing citizens to serve in parliament for the city of Peterborough, is in the inhabitants within the precincts
of

of the minster, being householders not receiving alms, and other the inhabitants of the said city, paying scot and lot.

NUMBER OF VOTERS—500.

RETURNING OFFICER—the bailiff of the said city, appointed by the dean and chapter.

PATRON—Earl Fitzwilliam.

BRACKLEY.

POLITICAL CHARACTER.—This borough is under the sole influence and patronage of the Duke of Bridgewater. The number of voters being only thirty-three, and those being the property of his Grace, renders it totally subservient to aristocratic greatness.

Brackley never sent to parliament till Edward VI's reign.

CORPORATION.—It is governed by a mayor, 6 aldermen, and 26 burgessees.

RIGHT OF VOTING—1714, 20 April. Is in the persons inhabiting ancient houses, or in houses built on ancient foundations, paying scot and lot.

NUMBER OF VOTERS—33.

RETURNING OFFICER—the Mayor.

PATRON—Duke of Bridgewater.

HIGHAM-FERRERS.

POLITICAL STATE.—This borough, which sends but one member to parliament, is under the sole influence, and at the entire disposal of Earl Fitzwilliam; on which account a contest for the representation never happens.

This borough was incorporated anno 2 and 3 Philip and Mary, and then impriviledged to return one burgeses to parliament.

CORPORATION—Consists of a mayor, 7 aldermen, and 13 capital burgeses.

RIGHT OF ELECTION.—1702, 28 January. Is in the mayor, aldermen, burgeses, and freemen, being householders, and not receiving alms.

NUMBER OF VOTERS—21.

RETURNING OFFICER—the mayor.

PATRON—Earl Fitzwilliam.



ERRATA,

Page 33, Vol. I. *For* Patron of the Borough of Aylesbury, *read* Marquis of Buckingham, who now influences the return of one member, and at the next general election will probably command both.

Page 34. *For* joint patrons of the Borough of Great Marlow, *read* Thomas Williams, Esq. and W. Lee Antonie, Esq. the former having purchased the property of Mr. Clayton, which, at the time of writing this book, commanded half of the patronage of that borough.

Page 45. *For* Patron of the Town of Cambridge, *read* John Mortlake, Esq. *instead of* the Duke of Rutland.

Page 108. *For* Proprietor of the Borough of Callington, *read* Lord Clinton, Mr. Trefusis having succeeded to that title.

Page 114. *After* the account of Newport, *add*, Number of Voters, 60. Returning Officers---Two Vianders, or Providers of Meat, appointed by the Lord of the Manor. Proprietor, the Duke of Northumberland.

Page 119. Omit all the five lines at the top of the page.

Page 188. *For* Number of Voters at Lyme-Regis, *read* 40; thirty-one of which number are non-residents.

Page 195. *After* the account of Bridport, *for* Patrons, *read* Patron.

Page 281. *After* the account of Lymington, *add* Patron of the Borough, Sir Harry Burrard, Bart.

Page 284. *At the conclusion of* the account of Yarmouth Hants, *add* Patrons of the Borough, Jervoise Clarke Jervoise, Esq. and the Reverend Leonard Troughear Holmes.

Page 286. *After* Newtown, Hants, *add* Proprietors of the Borough, Sir Richard Worsley, Sir John Barrington, and the Rev. Mr. Holmes.

Page 305. *After* Alderman Harley, *add*, who influenced the election of members until the last general election in 1790.

Page 327. *For* Patron of Rochester, *read*, Admiralty, one member.

CHAPTER I

The first part of the book is devoted to a general survey of the subject. It begins with a definition of the term, and then proceeds to a discussion of its history and development. The author then turns to a consideration of the various theories which have been advanced to explain the phenomenon, and finally arrives at his own conclusions. The second part of the book is a detailed examination of the various factors which are believed to influence the process. It is divided into several chapters, each dealing with a different aspect of the problem. The third part of the book is a collection of case studies, which are intended to illustrate the principles discussed in the previous chapters. The fourth part of the book is a summary of the findings of the research, and a discussion of their implications for practice. The book is written in a clear and concise style, and is intended for use by students and researchers alike.

